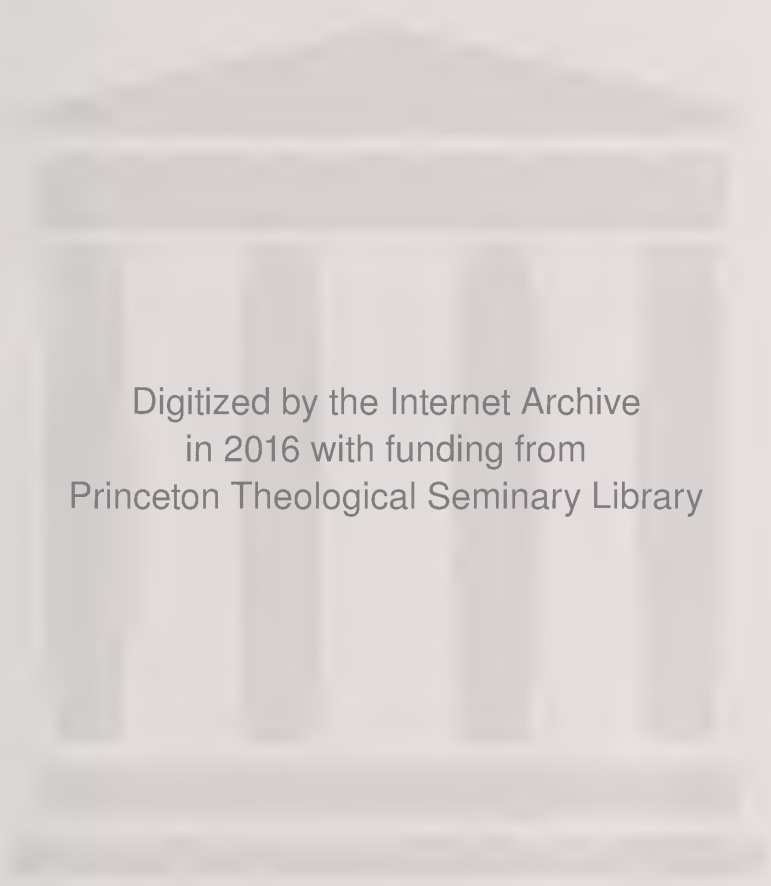




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THE

PRINCETON
REVIEW.

By Whom, all things; for Whom, all things.

FIFTY-FOURTH YEAR.

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LIMITS TO STATE CONTROL OF PRIVATE BUSINESS.

IT was a new departure in government when the people of the American States planted their institutions on fundamental principles which embodied a distrust of their own representatives. Distrust of irresponsible power may indeed be accepted as one of the conditions of liberty; and from the days of King John there had been no want of it among English-speaking people. Representative institutions had grown out of it, and these had taken such root and expanded with such vigor that their branches at length overshadowed all else, and liberty was supposed to be secure in proportion as the representatives of the people were powerful. All this time, however, distrust had the crown for its object, not the legislature; and while it was not doubted that hasty or extravagant action on the part of the legislature was possible, the restraining influence of the two houses on each other, and the undefined checks which the kingly authority might in certain ways impose, were supposed to be ample to protect against serious evils. With the crown under due restraint, the people felt no alarm: it might be said that the sovereignty was still in them, and that the legislature held by delegation a trust only; but it was, nevertheless, a trust conferred in such boundless confidence, that the beneficiaries were content to retain, in respect to it, only such ultimate control as is implied in the right of revolution. The theoretical compact of government between the people on the one hand and their rulers on the other, though supposed to be conditioned on a just exercise of the powers conferred, was really one under which the only means of enforcing

the condition must be such as an oppressed people might find in the implements of war. But what need of any condition whatever when those to be protected were the very persons delegating the trust, and who selected the recipients from their own number, limiting the delegation to a brief period, at the end of which time they were at liberty to recall and dismiss in disgrace the agent who proved unfaithful?

The American people, however, even for the brief period of a representative's term, conferred no unlimited authority. From the first, they separated the judicial from the law-making authority, and in creating a legislative department they made it the depository of a special trust, in the execution of which it was to act as a special agent only. In the new fabric of government, legislative omnipotence was no more allowed a place than was executive irresponsibility; and for the period, however brief, of representative authority, the delegated function must be exercised within limits previously defined, and subject to which the delegation had been made. If, therefore, in England, the representative for the time being might be said to hold a general letter of attorney, the American, on the other hand, held a special and limited authority: with the former, the act done would stand as its own justification; the latter, at the peril of having whatever he might do disregarded and annulled, must keep within the letter of his warrant.

It must be conceded, nevertheless, that in the original establishment of American constitutions no special distrust of legislative bodies was manifested. On the contrary, these bodies were from the first the chief depositaries of power, and the restraints imposed resulted as a consequence of a written charter of government and of the division of power under it, instead of having been an object in view in creating the government. Legislative powers were granted by the first American constitutions in very general terms, and the doctrine that the representative was subject to any other than a political responsibility, or that legislative acts might be questioned elsewhere, did not readily take root in American soil. It was the judges, not the legislature, who first became subject to popular mistrust, and those who first refused to obey an unconstitutional law were proceeded against as offenders. Disregard of legislative action

seemed to popular apprehension an affront to the people, and was punished accordingly.

But the country was not slow to discover the need of some other check upon representatives than that which was afforded in frequent elections. The Yazoo grant of 1795, in Georgia, brought about by fraud and deception, was so enormous in magnitude and interested so many persons, that it attracted the attention of the whole country, and presented in clear light the possibility that fraud might infect the whole legislative body, and that corrupt inducements might incline the representative to connive at or assist in the robbery of his constituents. From that time to the present, the number of constitutional restrictions imposed for the express purpose of keeping the law-making department in close restraint within prescribed limits and under prescribed forms of action, have been steadily increasing in number, until in some States the presumption that the legislature possesses a general power to make laws in its discretion has almost passed away. The general power has now so many limitations, and must be exercised under such carefully prescribed conditions, that the experienced legislator is excusable if he sometimes stumbles into difficulties, and finds to his surprise that something in his legislation will not bear the test of all the rules that have been prescribed for his observance. To prove this, let the reader examine almost any of the new or recently revised constitutions. An inspection will show the following state of things: *First*, That a number of subjects are removed altogether from legislative cognizance. *Second*, That upon a still larger number of subjects the legislature is forbidden to act, except by general law. *Third*, That when acting upon any subject, certain set forms must be observed, which are imposed for the purpose of forcing upon the legislature a care, caution, and deliberation not otherwise likely to be secured. These forms are thus made a condition to valid legislation, and the necessity of observing them is imperative. The principal of these are, that each act shall embrace but a single object, which shall be expressed in its title; that the bill shall have several readings on different days, and shall be passed only on a recorded vote by yeas and nays. Peculiar provisions are made in some States which are even more stringent.

It would, however, be a great mistake to suppose that constitutional restraints have really narrowed the field actually occupied by legislation. On the contrary, excepting a few years immediately following the Peace of 1783, when the terrible oppression of public and private debt impelled to public disorder, and led to the legislative abuses usually accompanying the acts making paper a legal tender in the payment of debts, the early legislation was in general more careful, more circumspect, and less open to criticism as encroaching on private rights or sound principles, than much of that more recent. In late years the channel of legislation has been narrowed, but the stream has risen in proportion, and by far the larger part of all the doubtful legislation which the history of the country presents has taken place since the year 1846, when radical ideas began to be characteristic of State constitutions, and the theory that officers of every department should be made as directly as possible responsible to the people after short terms of service was accepted as a political maxim. The one may not be a consequence of the other, but the times have invited legislative experiments, and the invitation has been freely accepted.

Evidences of this may be found in abundance. The legislation in aid of private individuals and corporations would first attract attention, not only because of its magnitude, but because around it has clustered much that was questionable, and not a little that proved to be corrupt. The grants made for these purposes within the last thirty years have been of all sorts and under all pretences, and compared with some of them the Yazoo grant sinks into insignificance. They were made by the nation and by the States; and majorities of local communities were permitted to assume burdens, not for themselves merely, but also for the non-assenting minorities, to purchase stock in business enterprises. On all hands it will be conceded that this legislation pressed hard upon the implied limits of legislative power; but the reasons favoring it were always plausible, because the nominal purpose in view was always one in which the community was more or less concerned. This was particularly the case when the assistance was given to railroad enterprises; and it was often asserted by the projectors that railroads were public highways, and assistance was demanded on

that ground. The evils that have resulted from such legislation, equally with the incidental benefits, are foreign to the present discussion, but the grants themselves and the ground on which they have been made may have some bearing. Questionable legislation can never stand by itself: if it is accepted, whatever is within the principle underlying it must be accepted also, and so must all that necessarily pertains and is incidental to it.

The present purpose is to inquire whether, in the matter of the regulation of property rights and of business, legislation has not of late been occupying doubtful, possibly unconstitutional grounds. The discussion in the main must be limited to fundamental principles, aided by such light as legal and constitutional history may throw upon them, since the express provisions of the constitutions can give little assistance. They always contain the general guaranty of due process of law to life, liberty, and property, but in other particulars they for the most part leave protection to principles which have come from the common law. And what is due process of law can never be settled as an abstract question: it has a new phase with every new case, and judicial history shows that judges differ concerning it at the present day when peculiar cases arise, as radically as they did when ship-money was in question, and when the king's warrant was supposed by some to be sufficient justification for an arrest, though it specified no cause.

The general right of the state to prescribe rules for the regulation of property and business is so plain, that no one disputes it. The right is a necessary one in government: a man could securely have nothing and safely enjoy nothing if the limits of interference by others were not prescribed by law. The laws of property are in themselves regulations, and the rules which give remedies for the invasion of rights are what render civilization and orderly society possible. Bentham, in his *Principles of the Civil Code*, has expressed this with great force and clearness. "Law," he says, "has accomplished what all the natural feelings were not able to do; law alone has been able to create a fixed and durable possession which deserves the name of property. The law alone could accustom men to submit to the yoke of foresight, at first painful to be borne, but afterwards agreeable and mild; it alone could encour-

age them 'in labor, superfluous at present, and which they are not to enjoy till the future. Economy has as many enemies as there are spendthrifts, or men who would enjoy without taking the trouble to produce. Labor is too painful for idleness, it is too slow for impatience, cunning and injustice underhandly conspire to appropriate its fruits; insolence and audacity plot to seize them by open force. Hence security, always tottering, always threatened, never at rest, lives in the midst of snares. It requires in the legislator vigilance continually sustained and power always in action to defend it against his constantly reviving crowd of adversaries. The law does not say to a man, 'Work, and I will reward you,' but it says to him, 'Work, and by stopping the hand that would take them from you, I will insure you the fruits of your labor, its natural and sufficient reward, which without me you could not preserve.' If industry creates, it is the law which preserves; if at the first moment we owe every thing to labor, at the second and every succeeding moment we owe every thing to the law."

This is a strong statement, but it is literally true and exact. Every man's rights are necessarily relative, and they are measured by means of the limits which are set to the rights of others. It is vain to say, except in the most general and popular sense, that every man has supreme dominion within the boundaries of his own freehold; for his lands are not only charged with servitudes for the benefit of his neighbor, but his management of his lands is restrained in various ways by rules prescribed for the benefit of others. Whatever he does upon his premises that would be offensive to his neighbor, and that the laws of good neighborhood would not sanction or excuse, may render him liable to prosecution for creating a nuisance. His lawful calling he is entitled to pursue at discretion, but if the calling he has chosen be one whose tendency is to disturb the peace or destroy the comfort of the immediate neighborhood, he might be driven from any thickly settled district as a malefactor if he should attempt to establish it there; and the importance and usefulness of his trade would not protect him. The state leaves the rites of sepulture and the manner of disposing of the bodies of the dead to the affections and the sense of propriety and decency of surviving friends, but not wholly

without supervision ; for if these were to import into any Christian state the custom of some savage tribes of exposing their dead on scaffolds to foul birds of prey, the law would assuredly visit them with condemnation and punishment. Indeed, every item of individual property, real or personal, every kind of business, every movement of the living person where he may come in contact with others, the conduct of the living and the disposal of the dead, are all brought within the control of regulations established by the state, or by customs which the state adopts, and which thus become its regulations. Men cannot escape from these if they would, and they would fall back into a state of savagery if they could and did.

But while this is asserted in very positive terms, it is affirmed with equal positiveness that there ought to be and are some limits to the right to establish such regulations. An unlimited power in the state to control and regulate private property and private business would make freedom and content as precarious as would an unlimited power in every individual to interfere at will in the concerns of his neighbor. The latter would arm every man against his neighbor ; the former would be liable at any time to direct with crushing force the power of the state against any interest which for the time had the popular feeling arrayed against it. To-day the unpopular interest may be the professional or mercantile class, to-morrow it may be corporations, and the day following the laborers upon railroads or in mines. Security can only be found in general principles, and the same general principle that will protect one must protect all. If any general principle can be put aside in order that the state may reach one interest, it may also be put aside when any other interest seeks its protection. Constitutional law can know no favoritism ; if principles are not fixed and permanent they are not constitutional, and may be suspended or overridden to suit the passion or caprice of the moment. And as security and content can only repose in settled principles, the question of the relative advantage of republican and autocratic institutions will be very much narrowed if it be conceded that the state may exercise in respect to private property and private business the powers an autocrat assumes. Indeed, it may almost be said to be narrowed to this : Whether many persons,

having the powers of sovereignty intrusted to them for exercise, would probably exercise them with more wisdom, discretion, impartiality, and justice than would a single person with similar powers. Upon such a question the most ardent republican might well hesitate before expressing a definite opinion ; for the advantages of government are not to be found in its forms exclusively : they must be perceived also in its results.

That there are some limits to state interference will probably be denied by no one. Those who go farthest in the direction of what is sometimes called paternal government by state or nation would claim some exemptions on their own behalf, and would be compelled to concede some to others. What the limits are and how they are to be found, is the question. Where they are not prescribed by the constitution of a state, probably it will be said they must be sought in the common law and in the constitutional history of the people. This is the common and necessary resort when questions arise concerning the proper functions of government.

But if you assume that the government may do whatever it may find precedents for in constitutional history, you assume the existence of a practical legislative omnipotence, restrained only as limitations are expressly imposed. Taking as a strong illustration the matter of regulating prices, and you may easily prove in this way that the legislative power is ample. Edward II. regulated prices by proclamation in 1314, and whoever refused to sell ox, sheep, hog, goose, pigeon, or egg at the price he named forfeited it to the king. Edward III. followed the example by proclamation in 1330, and afterwards by statute. In the time of Henry IV. the price at which foreign corn was permitted to be sold in the realm was prescribed by law for the benefit of the farmers ; and Henry VIII., on the other hand, for the benefit of those who purchased from the farmers, limited by law the prices of their beef, pork, and mutton, thereby holding them under the like restraint to that which he imposed upon importers of wines. The rates of wages were perhaps oftener limited by law than the prices of wares, and the method of regulation was specially objectionable, in its being generally left to the local authorities, who would be interested, if at all, in keeping the wages low ; but this method was continued

down to the time of the American Revolution. Elizabeth thought public policy demanded of her that she should prescribe the size of lot a man might build his cottage upon; and she did so, following the example of her father, who restricted the number of sheep a farmer might keep, and of her grandfather, who limited the number of acres a single farmer might cultivate. For sumptuary laws there are not only precedents, but reasons even in recent times. Montesquieu thought them important in republics, and John Adams in 1778 had some words of regret because he thought the people would not endure them. They were almost as frequent in English history as laws to prevent extortionate prices. By turns Parliament prescribed the length of a man's shoe and the cut of his coat; it sometimes forbade his indulging in the extravagance of foreign cloths, and sometimes limited the courses at his table. Montesquieu said that in Venice the people were compelled by the laws to moderation. "They are so habituated to parsimony that none but courtesans can make them part with their money. Such is the method made use of for the support of industry; the most contemptible of women may be profuse without danger, whilst those who contribute to their extravagance consume their days in the greatest obscurity." It is not without curious interest in this connection that when the Parliament of James VI. of Scotland undertook to put down extravagance in dress among women, and to limit their expenditures for that purpose to what they could afford, they enacted "that it be lauchfull to na wemen to weir abone their estait *except*" this same shameless class. Doubtless the purpose was to make female extravagance disreputable, by branding it as an advertisement of shame. But James, though he humorously indorsed upon it, "This act is verray gude," had the sense also to add his veto. Notwithstanding this, James, when he came to the throne of England, thought proper to prescribe the quantity of ale which should be sold for a penny, as the Lord Mayor and Council of London had done before him.

Precedents in the line of sumptuary laws, and laws regulating prices, though less abundant, are no more wanting in this country than in England. The former may be passed by, as not specially important here, and with the admission that they

were neither numerous, nor, under the circumstances of the country, such as should call for very severe criticism. Nor on the score of prices was any persistent and permanent policy established; what was done was meant rather for special emergencies, than to establish the general course of government. Among one of the earliest of Massachusetts colonial statutes was "An act against oppression," which subjected to fine and imprisonment such evil-disposed persons as should oppress and wrong their neighbors by taking excessive wages for their work or unreasonable prices for their wares. The two towns of Boston and Charlestown appointed porters and prescribed their lawful charges; but this may perhaps be considered as a grant of special privilege, with an accompanying restriction. In 1672, the weight of a penny-loaf was fixed by law in the colony, but in the least obnoxious way possible, for it was by a sliding scale regulated by the price of wheat. This was after the manner of the English assize of bread, and was followed to some extent in other parts of this country. In 1777, under the stress of a doubtful war, a strong effort was made to unite the colonies in an agreement upon prices which could be fixed by law, and the New England colonies came to an agreement which had the approval of Congress, but the others failed to concur. It has generally been supposed that the attempt to fix prices by law in this country came to an end when independence was firmly established and liberty secured. Up to that time some of the towns assumed the authority to regulate prices. It may safely be asserted, however, that all attempts in that direction were unsatisfactory. Hubbard, in his *General History*, gives this account of the Massachusetts experiment of 1633: "Many new plantations going on at this time made laborers scarce, and the scarcity made workmen demand excessive wages, for the excusing of which it was pleaded that the prices of wares with the merchants were proportionable. For the preventing of oppression in the one and in the other, orders were made in the General Court that the artificers, such as carpenters and masons, should not receive above 2*s.* per diem, and laborers not above 18*d.*; and proportionably, merchants should not advance above 4*d.* in the shilling above what their goods cost in England. But these good orders were not of long con-

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tinuances, but did expire with the first and golden age of the New World, things being raised since to treble the value well-nigh of what they were." The experiment, it will be seen, was in the nature of a protective tariff, applied as between different classes in the same small community. It seems not to have occurred to the good minister to inquire whether the abandonment may not have been due to the fact that the restriction was found beneficial to neither party, and that the wise men, of whom Massachusetts had her full share in those days, were brought by observation and reflection to the conclusion, that there were laws determining prices which were inherent in the nature and circumstances of civilized society, and that the operation of these was not likely to be improved by legislative interference. Similar considerations probably led to the abandonment of the laws in Maryland, and perhaps some other colonies, which made the planting of a certain area of corn by each taxable inhabitant compulsory.

It is not understood to be now pretended that any general right to fix the price of commodities or to limit the charges for services can exist as a part of any system of free government. It seems to be tacitly understood, that whatever power may once have existed for that purpose has been lost or taken away, and that business in general is protected against the interference of the state in such matters. Possibly there may be single individuals or small organizations of men who hold extreme views on this subject, but these would resist the authority as promptly as any one if the power were to be exercised in the restriction of the wages of labor, or in restraining agreements among laborers having for their object to put up or maintain the standard of prices for their services. It is a fact, however, of common observation, that there are some cases in which the legislature is accustomed to limit the charges for services and for the uses of property, and that the exercise of the power is acquiesced in as being rightful. These cases, then, must be supposed to stand upon some principle which distinguishes them from all others, and what the principle is, and how the cases may be separated in which the government may interfere for the prevention of extortion from those in which it may not, is among the important questions that have re-

cently attracted attention. There must be or should be a clear line of distinction somewhere ; one that the legislature and the courts may clearly perceive and apply without danger of serious error.

By some persons this question has been approached from what may be called the negative point of view ; that is, the general right of regulation in the discretion of the legislature is assumed, and those who dispute its rightfulness in the instance are called upon to point out wherefore it is not permitted. For the general right, the strong illustration is given of the regulation of profits from loans of money. Money, it is said, is the most valuable and the most greatly desired of all property ; the right to acquire and use it for all lawful purposes is undoubted ; and yet from time immemorial the legislature has laid down rules limiting the charges for the use of it, and imposing severe penalties for demanding or receiving more ; and this has been done without so much as a suggestion from any source that constitutional power for the purpose was wanting. The fact cannot be disputed, though it may not be possible to justify it in principle. The general rule the world over has been that usury was condemned, and only in modern times has the policy of usury laws been questioned. In part this probably comes from the fact that government makes money, establishes its value, and, as this nation knows to its cost, changes its value at will. If the coin bear the image and superscription of Cæsar ; if Cæsar may make it of gold to-day, of silver to-morrow, and of paper the day following, changing the value of all possessions with every change in the currency—may not Cæsar exercise the comparatively insignificant power to regulate the charges that may be made for the use of it in loans ? But in still greater part, perhaps, the ideas concerning usury have come as a part of the Jewish inheritance—as a part of the law delivered by the mouth of Moses in the wilderness. True, the Jews were prohibited only from taking usury of their brethren, but this rule accepted and applied by any other people must at least preclude the exaction of usury by subject from subject. For age after age the condemnation of usury was received by many as a law of perpetual obligation ; and when under the operation of the great law of supply and demand

men were induced to disregard this divine law, it seemed almost the performance of an obligation of religion when king and people, as the opportunity seemed to be favorable, repudiated their obligation to the usurers, and robbed them of their gains. To spoil the Jews who spoil the people seemed almost a Christian duty; they were plundered, stoned, and banished; and so great was the abhorrence of this nation of usurers, that when in the time of the Great Protector (1655) they humbly prayed to be received into the realm, this ruler, so wise in most matters, doubted and hesitated, and spent the next day with his ministers in prayer and fasting; and yet nothing better came of it than a very zealous remonstrance from Mr. Prynne, who had no difficulty in proving that permission to the Jews to reside in England would be "the greatest affront offered to the Son of God, the author of our redemption, that any Christian government could be guilty of." The history of England in this regard was not singular. Money-lenders the world over, wherever the laws were such as to permit, had been rapacious and cruel, and the poor of every country had suffered at their hands. When Solon set about preparing a code for Athens, he found that the existing laws permitted men to borrow money on the credit of their bodies, and not of their own merely, but those of their wives, their children, and their unmarried sisters; and failure to meet their obligations subjected the persons pledged to be sold into slavery. Great numbers had been thus sold, and were to be found scattered over Greece, and even in foreign parts. The evil was so enormous and the oppressions had been so cruel, that Solon deemed it necessary to set all the slaves of usury free, and to annul all existing contracts—a measure of repudiation only justified by the most absolute necessity. The statement of Aristotle has been frequently quoted, that money was naturally barren, and that to attempt to make money breed money was preposterous, and a manifest perversion of the purpose for which money was created, which was as a convenience in trade and commerce. When Cato the Censor denounced loans at interest as a crime, he but expressed a very common sentiment.

The common law implied no promise to make compensation for the use of money loaned, though it did imply a prom-

ise in the case of other loans for use. When America severed her connection with Great Britain, usury was a penal offence, and the regulation of the interest of money was thought to be one of the most imperative duties of the government. It was furnishing protection for the weak against the strong, the helpless against the grasping and extortionate. American constitutional history consequently begins with money in thrall; from time immemorial the government had established regulations, not only as a matter of course, but in the supposed performance of a great governmental duty. The emancipation of money from this governmental control has since been in progress; in England, by Statute 16th and 17th Victoria, it is now complete, while America lags behind.

The present argument has no concern with the policy of usury laws; but this may be safely affirmed, that no conclusion in favor of the constitutional right to limit the profits from kinds of property that were never in thrall can be drawn from the fact that corresponding restrictions are not yet wholly removed from property that was never emancipated. To appreciate the illogical character of such a conclusion, there must be kept in view the manner in which the constitutional principles have come to America. They have not, to use the language of Burke in his Letter to the Old Whigs, "been struck out at an heat by a set of presumptuous men," but they have been evolved slowly, and under great trials and difficulties; some of them attained full and rounded proportions before others came to be more than faintly recognized; the growth of all has been historical, circumstances first giving to one a prominence and a vigor, and afterwards another. With such a growth, a barbarous anomaly, never yet wholly eradicated, and standing among free principles as a great and striking exception, ought to be neither surprising nor misleading. Had the facts been otherwise, had all constitutional principles been planned and settled upon by a body of men meeting for the purpose, and embodying them in a written instrument as an aggregate and harmonious whole, there would be good reason to demand harmony in their construction, and to assume that what seemed an anomaly could only be a principle misunderstood or misapplied. The historical development of a constitution, however, never was and

never can be entirely symmetrical; and it must be admitted that the grand old common law, of which American constitutional principles formed a part, and for which the fathers perilled and some of them gave up their lives, had embodied in it more than one feature of barbarism, and indeed, as many believe, is not yet wholly relieved of serious anomalies. Whoever believes that the principles he accepts as fundamental form, when taken together, a complete and perfect code, and insure to the people all the protection that is needful, may glorify it as such; but the wise statesman, though he may insist that the Constitution is the best ever known, will nevertheless admit that it has not yet reached that state of perfection in which it may be regarded as incapable of improvement. And he would be a bold lawyer who would venture to affirm that any code of laws now in existence is wholly free from incongruities.

It has also been thought that the limits of state authority in restricting the profits of business may be determined by a solution of the question whether the property by means of which the business is carried on is "affected with a public interest," whereby it ceases to be *juris privati*, and is brought, like all public interests, within the special supervision and control of the state. But in the attempt to ascertain what it is that affects private property with a public interest one seems to be feeling his way in the darkness, and at the best is compelled to accept and be satisfied with such uncertain light as the instances of state interference can afford. Certain occupations are named which from time immemorial have been subjected to exceptional legislative regulations, and it is assumed that the property employed in these is affected with a public interest, and that in this fact is found the justification for the control exercised. Starting with these as unquestioned and unquestionable cases, the conclusion is drawn that the same authority must exist in certain other cases which are so far analogous as not to be distinguishable in principle.

The phrase "affected with a public interest" is important in this discussion, and as it comes from the treatise "*De Portibus Maris*" of Lord Hale, it is needful to know in what sense he employed it. The important passage from that treatise is the following: "A man, for his own private advantage, may, in a

port or town, set up a wharf or crane, and may take what rates he and his customers can agree for crannage, wharfage, housellage, pesage; for he doth no more than is lawful for any man to do, viz., makes the most of his own. If the king or subject have a public wharf, unto which all persons that come to that port must come and unlade or lade their goods as for the purpose, because they are the wharfs only licensed by the queen—or because there is no other wharf in that port, as it may fall out where a port is newly erected; in that case there cannot be taken arbitrary and excessive duties for crannage, wharfage, pesage, etc., neither can they be enhanced to an immoderate rate; but the duties must be reasonable and moderate, though settled by the king's license or charter. For now the wharf and crane and other conveniences are affected with a public interest, and they cease to be *juris privati* only; as if a man set out a street in new building on his own land, it is now no longer bare private interest, but is affected by a public interest."

To appreciate the exact force of this language, it is necessary to understand that the erection of a wharf on navigable water in Great Britain was never a matter of right, but always of privilege. In the first place, the ports were creatures of the prerogative; no man at will could run his vessel into a haven and land his goods where he pleased, but the haven must first be made a port, and officers of the customs assigned to it. In the second place, the title to the soil of all tide-waters below high-water mark pertained to the crown, and any wharf erected there without lawful permission was a purpresture, and liable to be removed as such. A wharf must therefore be specially and expressly licensed; and if not licensed expressly, it was only in existence by the tolerance of the crown, and on or adjacent to land belonging to the crown, and without the use of which the property could not be made available. Whether, therefore, the wharf was licensed and thereby given special and exclusive privileges, or had been set up without license, Lord Hale had for his assertion that it was affected with a public interest this justification—that it was erected by express or implied public permission, on or in connection with public property, and for the accommodation of the public by means of a private business. This is all that can be claimed from this passage from Lord

Hale; and it seems quite reasonable for him to declare that one who under such circumstances had a monopoly of the business might justly be compelled to deal with the public on reasonable terms.

It is now important to know what classes of private business are so circumstanced that the like reasons will apply. It would seem that these must be very few indeed. The case of the miller is often given as an illustration, and it is said that the state has always controlled the use of his property to some extent, and limited the tolls he has been permitted to exact for grinding his neighbors' grist. It will not be disputed that this was formerly done: the question of authority to do so now is not so plain. As a rule, mills in England were formerly the property of the lord of the manor, who by prescription had an exclusive right to grind grain for his tenants. But an exclusive right of that sort could only exist in connection with reciprocal rights on the part of tenants to be served at fair prices; and these could only be protected by positive law. The right of statute regulation may thus be said to result as a necessary consequence of the dependence of the tenant upon the mill for his bread. English ideas on the subject were brought by the colonists to this country, and necessity co-operated with these in shaping public policy in respect to mills. Among the earliest legislative acts in Maryland is one providing that "any bargain which the Lt. General and Council shall make with any undertaker for the setting up of a water mill for the use of this colony, shall be levied upon all the inhabitants of the colony, in such manner as the Lt. General and Council shall appoint, so it exceed not 10,000 lb. tobacco in a year, for two years only." This was in 1633—the same year that the first mill was set up in Massachusetts; and though it may not be affirmed that government aid was given in the case last mentioned, yet as it is stated that it was erected "by leave of the plantation on Neponset River," it seems probable that it was either set up on the common property, or that special privileges were obtained and corresponding duties imposed. One special privilege of the highest importance was certainly granted to millers in the colonial period; that, namely, of obtaining water-power by means of an appropriation of the lands of others under the sovereign

power of eminent domain. This might well be regarded as an equivalent for the obligation which millers were required to assume, to grind corn for a stipulated toll. A reference to the laws of New Hampshire will show how the two things were often coupled together. Thus the law of 1718 by one section limited the tolls for grinding grain; and by another it gave the miller the right to flow the lands of others by means of his dam, on the payment of damages, if any, that should be assessed by a sheriff's jury. Now, when one appeals to the state to put forth on his behalf its sovereign authority to compel another to abandon to him his freehold, he does so on the express and necessary claim that his business is "affected with a public interest," and that in short he proposes to act as an agency for the public in accomplishing some public purpose or supplying some public necessity. In a number of the States the proprietors of grist-mills are still permitted to appropriate for their purposes the lands of non-assenting parties; but in some it is denied that authority can be constitutionally conferred for this purpose unless for mills which are brought under State regulations, compelling them to grind grain for all who come, impartially, and for an established toll. In general, however, it is believed that when the rates of toll are fixed by law, the intent of the law is not to fix a maximum, and thereby to preclude the parties making their own arrangements, but the rate named is merely one which is to govern when the parties deal with each other without special understanding. But whether this belief is well founded or not, it seems apparent that no very forcible argument for the authority to regulate prices in other business can be deduced from a case so exceptional as that of millers. Regulations of their charges certainly began when their business was affected with a public interest; and if the regulation has continued after the justification for it has ceased, it is perhaps because there has never been provocation to question its rightfulness.

In an early case in Alabama it was decided that the legislature might confer upon a municipality the authority to fix the price of bread. In what are known as the Warehouse Cases, recently decided by the Supreme Court of Illinois, it was said by the learned judge who delivered the governing opinion that

this is still permitted by the laws of Illinois. The long experience of that judge in the administration of the law does not admit of any question being raised as to the fact; though whether the authority is conferred by municipal charters in specific terms, or is supposed to rest in some general grant of power, is not stated. If, however, the statutes of any State do now rightfully confer this authority, either in special terms or by general grant, it would seem we might stop the discussion here, and admit that there is nothing in this direction the legislature may not do. In the Alabama case the Court seem to plant the right on the fact that the calling "affects the public interest, or private property is employed in a manner which directly affects the body of the people." Now, why does the baker's calling specially affect the public interest? If it is for any other reason than because he sells to the public one of the necessities of life, the reason would probably have been mentioned. But the merchant does the same when he sells clothing, the druggist when he sells medicines, the butcher when he sells his meat; and if it is conceded that religious instruction is essential in a free state, as several of the State constitutions affirm, then the clergyman does the same when he imparts religious instruction and advice; and merchant, druggist, butcher, and clergyman may all have the prices of their wares or their services prescribed by law. A distinction in principle between the cases cannot be pointed out, because it does not exist. The right to fix the weight of bread is clear enough; that is only a reasonable regulation to prevent imposition, and stands on the same ground with the requirement of inspection of fish and other provisions.

Ferrymen and owners of toll-bridges, it is said, also have their charges limited by law. This is true. But these parties have special privileges conferred upon them by law—generally, to some extent at least, exclusive; and they are allowed the sovereign privilege of levying toll. The rights they have are not open to general competition; and, as they are given by law, it would be strange indeed if the law in giving could not limit its gift. The law does limit the gift in various ways: it restricts the tolls, and it compels attendance of ferry-men and gate-keepers at all suitable hours, under penalty; it gives special

privileges, and it imposes obligations for the public benefit in return. Reference is here made only to those ferries and bridges which are highways, and in respect to which alone does the law undertake to exercise the authority mentioned; if a man sees fit to carry passengers, either by boat or bridge, over a stream, entirely on his own land, his boat or bridge constitutes no part of a public highway, and there is no authority for saying that in doing so he exercises a calling which in any sense is public. He may carry whomsoever he pleases, refusing to carry others; may carry when he pleases, and at any rates agreed upon, or at a reasonable consideration when no rates are fixed; he may attend when he pleases; and if his business is a public business, so as to be brought under legislative control, so must be the tailor's and the cobbler's. In saying this, however, it is assumed that he does not hold himself out as a common carrier; when he does that, he becomes subject to certain exceptional regulations; but whether these can extend to the regulation of prices, is a question which will be referred to a little further on.

The rule may be said to be general, that whenever a special privilege is conceded to private parties, the enjoyment of which requires an exceptional use by them, or in connection with their business, of the public highways, either by water or by land, and the privilege is conferred for some accommodation they are to supply to the public, the property in their business is affected, to some extent at least, with a public interest. This rule will embrace several of the cases in which legislative regulations and restrictions are customarily made. The case is all the stronger where the privilege conferred is in the nature of a monopoly. That was the fact in the warehouse case of *Allnutt vs. Inglis*, decided by the Court of King's Bench in 1810. The warehousemen whose rights were then in question were permitted to receive wines directly from the importing vessels, before the duties were paid; it was an exclusive and valuable privilege, and was given and received in view of common-law rules, which would obligate them to receive the wines for a reasonable compensation. They undertook to appropriate the privilege, and to repudiate any corresponding obligation; in other words, while taking the benefit of the privilege, they

practically asserted the prerogative of compelling the public to submit to any charges they might see fit to impose: a monstrous proposition, in view of the fact that the public had no privilege of dealing with others. The controversy is thus stated by Lord Ellenborough: "The question on this record is whether the London Dock Company have a right to insist upon receiving wines into their warehouses for a hire and reward arbitrary and at their will and pleasure, or whether they were bound to receive them there for a reasonable reward only. There is no doubt that the general principle is favored both in law and justice, that every man may fix what price he pleases upon his own property or the use of it; but if, for a particular purpose, the public have a right to resort to his premises and make use of them, and he have a monopoly in them for that purpose, if he will take the benefit of that monopoly, he must, as an equivalent, perform the duty attached to it on reasonable terms." Such a case seems to require no comment: the conclusion of the court is so reasonable and just, that the only wonder is that the doctrine which Lord Ellenborough put aside as untenable could ever have been advanced.

There may also be rejected, as not requiring special discussion or consideration, the case of every employment, the following of which is not of right, but of favor. The case of an auctioneer may be instanced: he performs a public function, and is only allowed to take it upon himself by license. Wherever the business is a privilege, and the taking out of a license is required, the state may impose conditions upon the privilege. The case of hackney-coachmen and draymen may be classed in the same category: their avocations have always been licensed and restrained; and one of the most usual and perhaps most necessary restraints is that which is imposed in respect to their charges. Moreover, these persons are allowed to establish a business in the public highways; they stand there with their conveyances, occupying the streets to the inconvenience, more or less, of the general public, and in ways that would not be permitted but for the special conveniences they afford. Their privileges give them special opportunities for extortion and for practising frauds upon strangers, and the police supervision is required to be exceptionally active and strict. It is not of

right that they shall have the privileges which are conceded to them: they might be required to stand for business on private grounds instead of in the streets, just as the merchant awaits his customers at his store, and the mechanic at his shop. The exceptional use which by law or by custom they are permitted to make of the public streets for the conveniences they afford is quite sufficient to affect their vehicles with a public interest; and they can reasonably no more contest the conditions than could a huckster who should be allowed on special terms to set up a booth on the public market-ground. Moreover, it may be said of this case as of usury, that the regulations are from time immemorial.

Whether the regulation of the business of carriers of persons and goods may extend to the fixing of prices, is a question which has received no little attention, and been the subject of much earnest controversy for the last three or four years. The right in the state to make exceptional regulations of some sort for the case of common carriers is not disputed; the common law itself made some, the most important of which was the requirement that persons in this business should receive and carry, for all who offered, with impartiality. The Congressional Civil Rights Act of 1875 has supplemented this by a provision forbidding discriminations in the carriage of persons, based on race, color, or previous condition; and many of the States have regulations to further secure impartiality in the dealings of these persons with the public. But a regulation to secure impartiality is so different in principle from one limiting prices, that the power to establish the one affords no presumption in favor of the authority to do the other. The first is only in furtherance of, and supplementary to, the common-law requirement of fairness; but the common law is put aside and reversed when the statute undertakes to prescribe what a man shall charge for his services.

When carriers are corporations, so much depends upon their contract with the state that their cases are very apt to be exceptional. It has been decided by a great weight of authority, that where a railway charter reserves to the state an unlimited right of amendment, this right may be exercised in restricting charges for transportation. In the able opinion of the Chief-

Justice of Wisconsin to that effect, it is intimated that, independent of this reserved power of amendment, the same thing might be done under the power of police. The idea underlying such a suggestion may perhaps be formulated as follows: 1. Railways, by general concession, are such public conveniences that the sovereign power of eminent domain is allowed to be exercised in their favor in the appropriation of lands of non-assenting parties. 2. It has been claimed, and generally conceded, that the public have such a general interest in railways, that taxes may be levied and paid over to the projectors to aid them in constructing and equipping their road. 3. The argument will then be made that if the state may bring its sovereign power to their assistance, because of the public benefits they are expected to confer, and if it may and does invest its own money in their property, they must, by accepting such assistance, be held estopped to dispute the claim of the state that their property is affected with a public interest. The subject is one having many sides, and so important that any court called upon to consider it would not venture to express any but the most mature and carefully considered opinion. The discussions hitherto have elicited nothing very conclusive or authoritative on the main question.

The case of innkeepers is sometimes said to be one in which the right of the state to limit charges is indisputable; but if an attempt should be made to exercise it, it would probably be contested with vigor. Like common carriers, innkeepers are subject to special regulations at the common law, and the Civil Rights Act also includes them among the persons who are forbidden to discriminate because of race, color, or previous condition. But these regulations, as in the case of carriers, are in the interest of impartiality, and they are not supposed to be burdensome to the business in any sense. Possibly the notions on this subject may have come from the fact that places of entertainment for travellers have generally been places for the sale of intoxicating drinks, and such places are usually required to be licensed, and the number is purposely or indirectly limited. Sufficient reason for this is found in the fact that the business brings many evils upon society, and is so likely to breed disorders and tumult, that exceptional police supervision is im-

perative. It is, at best, only a tolerated business, and is always subjected to special restraint when not altogether prohibited. But the business of entertaining travellers has no necessary connection with this; and it is not only a commendable and useful, but it is also a necessary business.

It is safe to classify, in the following manner, the cases in which usage will warrant one in saying that private property, invested and managed for the benefit of the owners, is affected with a public interest.

1. Where the business is one the following of which is not matter of right, but is permitted by the state as a privilege or franchise. Under this head would be ranged the business of setting up lotteries; of giving shows, etc.; of keeping billiard-tables for hire; and of selling intoxicating drinks, when the sale, by unlicensed parties, is forbidden. Also, the case of toll-bridges, etc.

2. When the state, on public grounds, renders to the business special assistance by taxation or otherwise.

3. When, for the accommodation of the business, some special use is allowed to be made of public property or of a public easement.

4. Where exclusive privileges are granted in consideration of some special return to be made to the public.

In each of these cases the public interest is manifest. If there are any not coming under these heads, the interest ought to be equally capable of being pointed out.

Passing now to the nature of the control the state may exercise in the regulation of business within the limits of its authority, the following may be suggested as fundamental rules :

1. The state should restrain and seek to prevent whatever would impede its people in making free disposal of their wares or their services on the best terms a free market may offer.

2. The state should abstain on its own part from interposing impediments to its people reaping the advantages of competition in all lawful employments.

As to these rules, there ought to be and probably will be no disagreement. Indeed, those who have gone farthest in demanding state intervention to limit the profits of business

have justified the demand on the ground that the business they desired to have regulated and restrained was a virtual monopoly, so that the regulation was needed to give competition, not to prevent it. In the Warehouse Cases already referred to, this was said ; and it was strongly urged that unless the charges of Chicago warehousemen were limited to a maximum, the public had no protection against the extortions of a monopoly.

The word monopoly has an ominous sound to American ears, and whenever the appellation fairly attaches itself to any thing, it is already condemned in the public mind. Monopolies are heard of with great frequency in English history, and at some periods they have played a very important part in public affairs. It must be conceded, however, that those against which the complaints have been loudest were monopolies the government itself had set up ; not monopolies of individual establishment, which the government was called upon to curb or to destroy. An instance may be taken of a monopoly in alum, granted by King Henry VI. The king had received a quantity of that article for £4000, which he sold for £8000, granting in the sale an exclusive privilege to the vendees of dealing in alum within the realm for a term of years. King Henry VII. created a similar monopoly in this same article, by conferring upon a Tuscan merchant the privilege of importing a certain quantity, and prohibiting the importation by any one else until he had sold this off. To grant such a monopoly was a favorite resort of the crown when money was needed for personal uses, and as a consideration of some sort was generally received for it, this was equivalent to levying a tax and farming out the collection of it to parties who had paid in advance. But monopolies were not always granted for money. In 1245, Henry III., to spite the London traders, ordered all shops in London to be closed for fifteen days for the benefit of fairs proclaimed by him at Westminster. Similar orders were repeatedly issued afterwards, but it is some satisfaction to be informed by the chronicles that the monopolists profited little, for the rains of heaven sometimes destroyed goods of greater value than all the profits. Queen Elizabeth dealt largely in monopolies, and Sir Walter Raleigh, over whose sad fate men sometimes mourn, did not scruple to find his profit in them. In the great debate upon

them in 1601, Sir Robert Wroth said there were then in being patents of monopoly for "currants, iron, powder, cards, ox shin-bones, train oyl, transportation of leather, lists of cloth, ashes, anis seed, vinegar, seacoals, steel, aqua vitæ, brushes, pots, saltpeter, lead, accidences, oyl, calamin stone, oyl of blubber, fumachoes or dried pitchers in the smoak, and divers others." "Upon reciting the patents aforesaid, Mr. Hakewell stood up and asked thus: Is not bread there? *Bread*, quoth one; *bread*, quoth another; this voice seems strange, quoth another; this voice seems strange, quoth a third. No, quoth Mr. Hakewell, but if order be not taken for these, bread will be there before the next Parliament." And the queen was pleased to take order concerning these, and to repeal them, protesting that "never did I put my pen to any grant but that upon pretence and semblance made unto me that it was both good and beneficial to the subjects in general, though a private profit to some of my ancient servants who had deserved well; but the contrary being found by experience, I am exceeding beholding to such subjects as would move the same at first." The evil, however, did not stop here, even for this reign; but it rose to enormous magnitude under the first Stuart, and prior to 1623 nearly all the foreign trade of the kingdom was in the hands of a few people in London, who, under their royal grants, were enabled to fix the prices both of imports and exports. In that year the king was forced by the Commons to give his assent to a law which declared monopolies by royal grant illegal, and the most of those in existence were repealed. Of those which escaped repeal was that to the East India Company, which grew to such proportions afterwards. Charles I. revived monopolies, and in 1640, in debate in Parliament, Sir John Colepeper said of them: "I have but one grievance more to offer unto you; but this one compriseth many; it is a nest of wasps, a swarm of vermine, which have overcrept the land; I mean the monopolers and polers of the people: these, like the frogs of Egypt, have got possession of our dwellings, and we have scarce a room free from them: they sip in our cup, they dip in our dish, they sit by our fire; we find them in the dye-vat, wash-bowl, and powdering tub; they share with the butler in his box, they have marked and sealed us from head to foot. Mr. Speaker,

they will not bate us a pin : we may not buy our own cloathes without their brokage. These are the leaches that have sucked the commonwealth so hard, that it has almost become hectical. And, Mr. Speaker, some of these are ashamed of their right names ; they have a vizard to hide the brand made by that good law in the last Parliament of King James ; they shelter themselves under the name of a corporation ; they make byelaws which serve their turns to squeeze us and fill their purses ; unface these, and they will prove as bad cards as any in the pack." The House not only resolved against monopolies, but it resolved that no monopolist or patentee should be allowed to sit in that House ; and several were turned out under this vote. Charles I. even assumed to himself the prerogative of limiting the growth of the city of London, and levied fees for the privilege of building houses in extension of its limits. His assumptions were of course illegal ; indeed, monopolies by royal grant to the prejudice of trade had been judicially declared void in 1602, and in their most odious forms they disappeared when Charles I. lost his head. Meantime America was only suffered to be colonized under the permission of trading monopolies.

It was certainly not this kind of monopoly that was brought under condemnation in the Warehouse Cases, for no grant of special privilege had been given, nor, under the constitution of Illinois, could any have been given. There is another sort known to the English law which has been more or less obnoxious, namely, the monopoly of provisions, effected usually by combination, with a view unnaturally to raise prices. This was a common-law offence, but with several kindred common-law offences has been abolished in England. It is possible that it may in early times, when the means of transportation were imperfect, have been a serious evil, but it is inconceivable that it can be so now, except where it is accomplished through means which are no part of any regular business. If means are employed which public policy cannot sanction, it is competent and proper for the state to interfere.

A monopoly, where the term is employed with the care and accuracy proper in judicial decisions and legal proceedings, must be understood as some exclusive power to dispose of something of value, either generally, or for some definite time,

or within certain limits. The method in which it may be secured has nothing to do with its exclusive character, and it is equally a monopoly whether obtained by sovereign grant or secured by individual management. If the exclusive right to dispose of their services in any given capacity at an important business centre were secured in any way by a few persons, those persons would have a monopoly, whether the right were obtained by sovereign grant, by combination, or by employing violence and terror to drive away all who might be competitors. The sovereign grant of monopolies in trade was declared unlawful in England, on the ground that "the sole trade of any mechanical artifice, or any other monopoly, is not only a damage and prejudice to those who exercise the same trade, but also to all other subjects, for the end of all these monopolies is for the private gain of the patentees." There may doubtless be exclusive privileges that would not be subject to this condemnation, but they must clearly be in cases not coming within the reasons assigned. An author or inventor is given for a certain term an exclusive right in that which his talent or ingenuity has produced; but the right here is in something which he himself has created, and which ought to be his property, as much as the wheat he has grown, or the cattle he has raised or bought. Exclusive franchises are sometimes given where in no other way can some public interest be accomplished; but the reasons ought to be of the most conclusive nature, and the state grant ought to be construed with the utmost strictness. To whatever extent special privileges are conferred upon one, he is favored, and equality of right under the government is disturbed. Nevertheless special privileges are sometimes defensible, and sometimes a grant of them may be supported on grounds of necessity.

If the mere fact that a business has or may become a monopoly can give to the legislature an authority to interfere and restrain it, it must be because a monopoly is in itself so manifestly and necessarily opposed to public policy as to be wholly inadmissible. But when any thing is wholly inadmissible, the legislature itself must be without the power to create it. A thing cannot be wrong when growing up independently, and right when set up under a special statute. Therefore, if by enterprise or management a virtual monopoly is created at any

point, it must be subject to no more and no other condemnation than would be a monopoly of precisely the same sort expressly created. But in this country men are precluded from claiming that monopolies of legislative creation are subject to special restraints because of their exclusive features. A short provision inserted in the Federal Constitution to prevent the general repudiation of debts has been found to embrace within its protection the grants of exclusive privileges made by the state. Whatever grant, therefore, is made by the state is protected, if the grant was within the legislative competence. Queen Elizabeth might recall the vicious monopolies she had granted, and Parliament might at any time repeal them or bring them under control, but no future Coke in this country can wage the same exterminating war upon them which was waged by the great Chief-Justice in England. It would not be enough for him to show that the object of his attack was a monopoly; he must go farther and show some additional vice, or the legislative grant would be shielded from his attack behind the ægis of the Federal Constitution. *Primâ facie* all legislative grants are made for conclusive reasons; and with the utmost propriety it is always assumed that all laws, whether public or private, have been adopted from honest motives and on sufficient grounds. Therefore, though the benefits may apparently all be of individual and personal nature, the law implies and the judiciary and the executive must hold that public considerations governed the legislative action. In general, however obnoxious the special privilege may seem to be, objectors will be required to show how and in what language it is forbidden in the State Constitution before they can effectually assail it. A few illustrations will give some idea of the extent of State power in the grant of monopolies. Some of the early railroad charters were exclusive, and gave a complete monopoly within certain prescribed limits; and it is notorious that those in New Jersey have caused the country much annoyance. In two or more of the States there have been grants of the exclusive right to navigate public waters, and these have been sustained where they did not come in conflict with the regulations of commerce established by Congress. The Binghamton Bridge case is worthy of special mention. The Legislature of New York at an early day created

an incorporation to construct a toll-bridge across the Chenango River, and in the opinion of the Federal Supreme Court the terms of the grant, though not very clear and explicit, were such as to give an exclusive privilege to maintain a bridge across the river for a length of four miles. The growth of towns along this part of the river in time made other bridges essential, and the legislature created another corporation, which it undertook to authorize to build a second bridge within the same limits. The new grant was held to be a violation of the Constitution of the United States, and therefore void. It was in vain that Mr. Justice Grier expressed the opinion that "the power of one legislature to bind themselves and their posterity, and all future legislatures, from authorizing a bridge absolutely required for public use, might well be denied by the courts of New York;" the Court did not concur in this view, and considered themselves bound by the precedents to the contrary. The New Orleans Slaughter House Case deserves at least a passing mention. In the troublous days immediately following the war, when the passions of the people were so inflamed on questions growing out of the civil conflict as to preclude any careful supervision of legislation by the general public, the Legislature of Louisiana granted to a corporate body the exclusive privilege for twenty-five years of slaughtering cattle in New Orleans and its immediate vicinity, limiting their charges it is true, but making them sufficiently liberal. This grant the courts have felt compelled to sustain. If the legislature could lawfully create this monopoly, why not create a similar monopoly of warehousing? And if they did create one, what should prevent their fixing the rates as high as they have ever been fixed by individual warehousemen? It is notorious that the tolls taken on numerous bridges through the country are such as could not be sustained for a day if the legislative protection were taken away, and the tolls were left to competition. A single other illustration of exclusive grants will suffice. In Alabama and Missouri the grant of a lottery franchise has been held irrevocable. It would seem that all the way between the building of railways and the setting up of lotteries there must be room for monopolies almost as numerous as those in England, the schedule of which was given by Sir Robert Wroth. Whatever exist will

generally be found now, as in King James's time, "to shelter themselves under the name of a corporation."

But the following question is worthy of serious consideration by legislators: If the state in respect to any particular occupation may prescribe prices, may it not also, on the same reasons and in the same occupation, set up a monopoly? The question is of vital interest, and its consideration requires an examination of the grounds on which exclusive privileges in the nature of monopolies are supposed to be granted. The following may be suggested:

1. The grant of an exclusive privilege may seem to be necessary to the accomplishment of some important public object which, with the privilege, private parties would undertake to accomplish, when without it they would not. The familiar instance is that of a bridge across a river where a highway for teams, etc., is greatly needed. Such a bridge constructed with the privilege in the proprietors to take toll might perhaps be expected to be unprofitable for a considerable period. The state at the time might be unwilling or unable to construct it, but perfectly willing to clothe individuals with the proper franchise for the purpose. These might be quite ready to accept the franchise if they could be protected against ruinous competition by the privilege being made exclusive, when otherwise they would refuse it. Under such circumstances, making the franchise exclusive may seem to the legislature the only condition upon which the needed public convenience may be obtained, and public considerations may apparently preponderate in favor of conceding it.

2. An exclusive privilege may be granted for a consideration received or to be received by the state, and which by adding to the resources of the state would diminish taxation, and thus compensate for any incidental inconvenience or loss felt or suffered by the people in consequence of the grant.

Thus a railroad company having a charter with exclusive features may accept it on condition of paying a certain proportion of its earnings to the state; another corporation may pay a certain bonus for its charter; a third may consent to pay an annual license fee in addition to the regular taxes; and so on.

Many grants have been made on this principle, and in some cases the profit to the state has been large.

3. An exclusive privilege may be granted as a measure of regulation. Thus, in the case of some particular business it may be thought that it is so susceptible of abuses, so liable to be engaged in for the purposes of fraud or extortion, and furnishes such facilities for the one or the other, that the good of the community requires it to be either prohibited altogether or put in the hands of one or of a few persons, who shall first take out a state license under stringent conditions, and afterwards be subjected to a supervision which could not be extended if the business were open to every one. Taking the case of lotteries for an illustration, it might well be said, if lotteries are to be allowed at all, the opportunities they furnish for fraud are so great and so numerous, that the interest of the community would be better subserved by allowing a few persons only, of good reputation, to set up a lottery once a year, paying a reasonable license fee for the privilege, than to allow any man or combination of men to set up one at discretion. So in the case of slaughtering cattle for the markets of a large city, it might be said that if any considerable number of persons made this a business it might prove difficult if not impossible to prevent many nuisances, and since each person must have a separate place of business, there could be no such economy of labor and expense as might be possible with a concentration of the business in one or in a few establishments. Therefore it might be urged that to give an exclusive privilege to a single company or corporation, with a reasonable limitation of the charges which might be made to the dealers in meats, would on the one hand be a matter of general economy and public utility in that it would tend to reduce the cost of one of the necessities of life, and on the other would assist in the preservation of the public health.

These, apparently, are the two principal grounds which must be advanced in support of the grant of an exclusive privilege when the purpose is one of regulation merely: to obtain more perfect and effectual police supervision and protection against disorders and nuisances, and to effect a general saving to the people in some matter of general or customary expense. The

first ought generally to be subordinate, if the business regulated is a necessary and useful business. The police power of the state is so pervading and ample, and it is so plainly the duty of the state to exercise it in such a manner as to protect every man in following any lawful calling he may select, so long as he violates no public law and no rights of others, that for the state to give monopolies as a substitute for such protection, would be to make its own delinquency an excuse for invidious distinctions.

Can, then, a monopoly be granted where the sole or chief purpose is to effect a saving in the cost to the people of something which is an article of public and general need? For the moment putting aside the consideration of the cases in which any exclusive privileges would be inadmissible, and conceding the right in some cases, let the grounds which must support them be examined. If a saving of individual expense can be a sufficient ground, it must be because the state has devolved upon it a duty to so shape its legislation as to effect such a saving, and the special privilege is a suitable means to the end. This brings us at once upon the ground which must be occupied by the legislature in limiting prices of wares or the charges for services: the reduction is the principal thing, and the legislature in accomplishing this will judge of the available and suitable means, and selecting these will employ them. In one case a direct act of legislation restricting charges might seem the most suitable and effectual, as it would certainly aim most directly at the end sought. In another case the more practical mode might seem to be to authorize a monopoly. One city might perhaps grant an exclusive privilege in slaughtering cattle; another, to accomplish the same end, might fix maximum prices by the carcass or the pound of the cattle slaughtered. Each would justify the regulation on the same ground.

It would seem, therefore, that those who claim a right in the state to control prices in certain cases should concede the power to create monopolies in the same cases, and whoever denies the one may deny the other. And if this be so, the question of the rightfulness of special privileges may perhaps be found so intimately connected with the question of state interference to regulate prices as to be incapable of separation.

Of the cases in which the legislature has sometimes granted special and exclusive privileges the following remarks may be made :

1. The right to grant these in certain cases not very distinctly classified by any authority is generally conceded. They are always supposed to be granted on public grounds and justifiable occasions, and as it is proper to grant them, so also it is proper to receive them, and the grantees could not, because of their exclusive nature, be subject to reproach or to invidious regulations.

2. Where the grant is to take up some employment which is not of general right, or to exercise some franchise, the authority in the state to make it exclusive cannot be disputed. The state grants the right or the franchise to one man or body of men, and refuses to grant it to others; it stops with the one grant, as it may lawfully do. This remark assumes that the state constitution contains no express prohibition of exclusive privileges, as some of them do, and that the legislature is left unhampered in that regard.

3. The authority of the state to grant exclusive privileges in the ordinary occupations of life it must be quite safe to deny. If such an authority existed, there would be such a legislative supremacy over the business of the people as could at any time be employed to the destruction of any particular interest; and this would be inconsistent with regulated liberty. As has already been stated, exclusive privileges of this sort were judicially declared unlawful and void in the time of Elizabeth, and have been so held and understood ever since. The cases in which exclusive privileges may be granted would therefore seem to be those which, on grounds already stated, are affected with a public interest.

Some remarks regarding licenses and license fees seem to be called for in this connection. An idea seems to prevail in some quarters that to require persons following any particular occupation to take out a license is all that is essential to subject them to special regulations. This idea has no foundation. Taxes, in the form of license fees, may undoubtedly be imposed on all occupations, but a free state has no power to compel the

taking out of a license as a condition precedent to the following of the ordinary pursuits of life. No despot ever claimed or exercised such a power, and no people not absolute slaves would tolerate its exercise for a single day. It will be remembered that the statutes enacted in the Southern States in 1865-6, which required freedmen to take out licenses for ordinary occupations, and to pay license fees therefor, were set aside, as establishing regulations which in effect compelled this class to submit to involuntary servitude.

Licenses may doubtless be required to be taken out by those employed in occupations the following of which is not a matter of right, and those which are "affected with a public interest" under the principles hereinbefore stated. But in the case of the ordinary and necessary avocations of the day, a license can cut no figure, and to require one to be taken, unless for the purpose of taxation, would be wholly inadmissible. It may be assumed that this statement requires no proof. To suggest the requirement that the farmer or the mechanic shall take out a license, unless for taxation, is sufficient to put before the mind the absurdity of any pretence of such authority.

Of monopolies not created by the legislature, the following may possibly exist:

1. One secured by threats or violence, or other unlawful means. Temporary control of the labor market is sometimes secured in this way; but this is of course illegal, and may be dealt with by the law. The temporary monopoly of the grain market of a particular town, accomplished as a means in gambling operations, may perhaps be classed under this head, inasmuch as it would be competent to make the means illegal by statute, if they are not so at the common law.

2. The monopoly which circumstances give to one by reason of the exceptional location and special advantages of his business, or by reason of his having lawfully acquired an exclusive ownership in something for which there is a public demand. In this, of course, there is nothing wrongful, nothing illegal. Does, then, the mere fact that one owns the whole supply of any thing, whether it be of a certain kind of property or of a certain kind of services, confer upon the state the authority to

interfere and limit the price he may set upon his wares or his services? To illustrate with a strong instance: Suppose in some state a single individual should own the only mine in the country of some metal important for use in the mechanical arts; would it be competent for the state, on the ground that competition with him was impossible, to restrict at discretion the price he should be allowed to charge for it? These questions, it will be perceived, present no problem concerning the authority of the state to appropriate exclusive rights, however acquired, under the eminent domain; they raise only the question of the right to limit the prices which individuals may charge for that which is conceded to be their own. Whoever shall undertake to answer these questions in the affirmative should be expected to show how the power may be harmonized with the general principles of free government.

3. The monopolies effected by combination of all who have the required wares or services for sale is of still a different nature. These exist in every part of the country, and it is generally assumed that the state is powerless to interfere and break them up when they limit their action to fixing prices by peaceable means, and when the business is not one over which the state may exercise exceptional power. Whatever may be thought of the wisdom or usefulness of trades-unions, the state, so long as they undertake only to regulate their own charges, is expected to abstain from interference. Letting others alone, these unions must be let alone by others. The state cannot say that their members shall take less than they will voluntarily consent to take; neither, on the other hand, can it compel others to pay more than they will voluntarily consent to pay. And the principle which must apply to them is general.

4. The case of "virtual" monopolies effected by superior industry, enterprise, skill, and thrift, it would seem, might be passed over in silence. When the person who by such means has secured special advantages has done so without the aid of any peculiar privileges, and with every other person at liberty under the law to compete with him, it is a misuse of terms to call his advantages a monopoly. Moreover, such a person is under the condemnation neither of the law nor of public sen-

timent. The qualities he has displayed in achieving his success are likely to bring him applause rather than censure, and he could not be put under restraint because of them, except upon grounds which would authorize the industrious, the enterprising, and the successful to be held in check whenever it was discovered that they were outstripping their fellows.

It seems plain, then, that there are limits which the state cannot overstep in interfering with private business under the pretence of regulation. The rules by which these limits may be determined are, from the nature of the case, incapable of being precisely indicated so as to preclude mistake or controversy, but the following ought to be unquestioned :

1. Whatever in modern times has generally been looked upon as being outside the sphere of legislation, should be regarded as finally eliminated from state authority. To do this is only to take notice of the steady growth of the free principles which have come from common-law rules and usages, and of their gradual expansion with the general advance in intelligence and independent thought and action among the people. The gradual transition from despotism to freedom has been mainly accomplished by the dropping out one by one of obnoxious and despotic powers, and by the recognition of the changes effected as permanent modifications of the constitutional system. Under this head may be classed the power in the state to create monopolies at will. For nearly three hundred years this power has been generally denied to the state, and to exercise and sustain it now is to discard whatever in freedom of industrial effort and competition has been gained in that period.

2. Wherever an extreme power has been supported by special and exceptional reasons, it should be regarded as gone when the reasons have ceased to exist. Thus, if in the founding of a colony it should be found necessary to employ the power of taxation to assist in the establishment and support of mills, yet as the power is an extreme power and only called into use by the extremity of the case, the power should be considered recalled when the necessity has ceased. And when the power to aid mills by taxation is gone, such exceptional power to regulate as must have sprung from it should be considered recalled also.

3. A questionable power, long disused, should be considered abandoned or recalled. Under this head may be instanced the power to fix the price of labor. Such a power belongs to barbarous and despotic times; it is inconsistent with genuine liberty, and it may be exercised to reduce men to virtual slavery. In the American States it has not been exercised since they passed from the colonial condition, and this of itself ought to be accepted as conclusive against the existence of the power. The American constitutions, in providing that no man shall be deprived of life, liberty, or property without due process of law, should be understood as protecting the liberty of employment with the same jealous care with which they protect against unlawful confinement behind bolts and bars.

It is not the purpose of this article to discuss the rulings of any court or to enter upon the examination of any decision. The discussion is upon general principles, and not upon particular cases. The discussion, however, may justify the cautionary remark, that it is a very dangerous thing to make by a precedent an inroad upon one of the fundamental principles of liberty, because precedents tend to beget a habit of thought and action which leads insensibly in the direction in which they point. Every doubtful precedent should therefore be carefully considered, and never accepted when it will not stand the test of settled rules of right. It has recently been said in a case in which a strong exercise of legislative power was under discussion, that the legislature may constitutionally restrict the charges which may be made for the use of property, because profits are not property, and, therefore, constitutional protection cannot be claimed for them. That is as much as to say, the constitution protects a man in his property, but not in the enjoyment of his property; he may have his farm, but the state may take away his profits by limiting his sales to the cost of production. A constitutional protection of this sort is a mere mockery. "The idea of property," says Mr. Bentham, "consists in an established expectation; in the persuasion of power to derive certain advantages from the object, according to the nature of the case." It is true that possible future profits are not property; they cannot be handled or enjoyed, and they may

never be realized ; perhaps if one were wrongfully deprived of the opportunity to earn them, he might, because of their uncertainty, not be able to secure suitable redress ; but the capability of property, by means of the labor or expense or both bestowed upon it, to be made available in producing profits, is a potential quality in property, and as sacredly protected by the constitution as the thing itself in which the quality inheres. He who denies this may on the same grounds say that while the right to labor is a constitutional right, yet that the profits of labor before they are realized are under legislative control, and may be kept down to prevent, as the early Massachusetts statute had it, "oppression" by "excessive wages."

THOMAS M. COOLEY.

DESIGN IN NATURE.

WHEN the Psalmist exclaimed, "The heavens declare the glory of God; and the firmament sheweth his handiwork," he expressed a conviction that has been common to the great mass of men in all ages of the world. The general impressions of order as revealing design, made upon the common observers of Nature, have been strengthened by careful study of the heavens, the earth, and the organic beings upon it. The telescope has but revealed more fully the order and beauty of arrangement that are seen by the unaided eye. Chemical research, in analyzing the earth and water and air, has but shown us the perfection of methods and wonderful adjustments by which the elements build up and support the varied forms of life. The scalpel and microscope, in unfolding the minutest structure of animal and plant, but repeat and corroborate the story which all these organisms tell, by the perfection of their outward forms, and by their relations to each other and the world. The earth in its composition and structure, and the organic beings upon it, have so impressed thinking men as "things that are made," that again and again they have been studied and used for a higher purpose than mere scientific classification—for the purpose of revealing a Creator, his attributes and character.

No new revelations have been made that essentially affect the argument for design, which has been so often and so ably presented. And to make this statement good is all that is now required. We are called upon to do this, because the claim is made that progress in science has swept away the proof upon which teleologists have relied. This assertion is made by such

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men, and with such an array of learning, that the common mind is disturbed—disturbed, because called upon to deal with questions which it does not understand. There is a dread which falls upon men when they see the walls, which they supposed were made impregnable by the Paleys and Bucklands, bombarded with biological and chemical terms of astounding length and fearful composition. The missiles are new, and declared by their inventors to be deadly. Until their true nature is known, they are a source of courage on the one side, and of terror on the other. It is well to have it fairly understood that these new weapons are entirely harmless ; that they have no more efficiency in overthrowing the argument for design than the gongs which the Chinese use to frighten soldiers have in real warfare.

The object of this paper is simply to explain some of the difficulties which, on account of the present conflict of opinion among scientific men, are likely to trouble those who have already investigated the evidence of design in Nature, or who desire to do so.

To do this, it will be necessary to briefly consider those principles of belief and conditions of proof which have a special bearing upon this subject ; and also to restate a few of the evidences of design that have generally been accepted, and show that they still hold good, strengthened, if possible, by the more careful consideration of the facts upon which they rest, and the discovery of other facts that might be supposed to affect them.

1. By design, we mean a preconceived plan according to which work is done. It involves the conception of an end to be reached, a purpose to reach the end, and the comprehension and choice of means to secure it. Any work, to show design, must first exist as an intellectual conception in the being that performs the work, or directs other agents in performing it.

2. While these statements might be accepted, the application of them to any given case, in the works and acts of men even, is often a very difficult thing. We can have no better preparation, however, for the study of design in Nature than a careful consideration of the conditions under which we are compelled, by the very laws of mind, to infer design in the works of man. If we ask what it is in any work that reveals to us design, we can

only answer by saying that we see plan, purpose, means adapted to ends. Whether these do exist in the thing, must be a matter of investigation in each case; and the decision will be according to the weight of proof in each mind. In some cases, however, the proof is of such a nature that every well-balanced mind accepts it without question. A house, a watch, or a book is never named as a possible accidental result of action. And the perfection of either has nothing to do with the mere evidence of design, but only of the extent of the design as showing wisdom, skill, or other attribute. The clumsiest wooden clock that ever marked minutes and hours upon its dial-plate, though needing daily correction, is to all men as convincing proof of mere design as the best chronometer clock that ever marked the motion of the stars.

Nor is it necessary for one to see the connection between means and ends in order to believe in design. This belief may be forced upon him by *results*. The man who stands by a carpet or Jacquard loom may be entirely unable to understand its mechanism—the wires and threads may be a perfect maze to him; but as he sees the figures appear in the web, the outlines of flowers and even portraits of men recurring in regular order, he knows there is design in the parts which he cannot understand or see. He is just as certain of this as is the great inventor who can duplicate or improve the loom, or the chemist who can analyze the colors that combine their tints to produce the effect.

The length of time required to do the work, the number or nature of the agents employed, their knowledge or ignorance of the effect of the part they each perform in the work, has nothing whatever to do with the nature of the final result. The thing reached is such as to force belief in design—design originating in one mind in which the result and means to secure it first existed as a conception. To doubt this, would be to deny the highest proof the mind can have.

We cannot be too full and explicit upon this point. For the evidence of design in Nature rests mainly upon *results*—results as evident as the marking of time upon a dial-plate by the moving of a hand, or the production of Washington's portrait from a Jacquard loom. The doubts that trouble many people arise simply from the fact that they attempt to consider elements

that have no bearing upon the case in hand. They are made to believe that they cannot be certain of design in a plant or animal unless they can trace the growth of these organisms from the germs and submit every tissue and cell to the microscope; as though a man could not be certain of design in a clock unless he could see and describe every wheel and spring in its complex mechanism! By this confusion, this supposing that they cannot judge of design in results unless they can unravel all the processes by which those results are reached, they come to believe that certain men know things that destroy the value of what seems to be proof to them. It is well to remember, that in weighing some kinds of proof the man of common education and sound judgment, is the equal of the most learned. The common farmer could not be convinced by the best clockmaker in the world that the simplest clock or watch was not a work of design. Let him apply the same principles of proof to things in Nature—to the structure and functions of organs and the relation of organisms to each other as revealing design, and the things which he does not understand will never affect his judgment as to the value of plain results, as proof.

In the works of Nature we have results from forces—from gravitation, cohesion, chemical affinity, and life, if it be proper to call that a force. The designing agent never appears. He can be known only through his work. And this is the main difference, as we understand it, between the conditions of proof respecting design in the works of man and in Nature. We have seen the human agent, and that is an aid to our weak powers in realizing the full value of proof derived from his works.

According to the views of some, we can never recognize chance or accident in reference to any operation in Nature. Design in Nature is thus put on the same plane and made co-extensive with causation itself. So we understand President Porter to place it, in the following statements: ¹

"We assert that the relation of means and ends is assumed *à priori* to be true of every event and being in the universe, and that the mind rests its knowledge upon this as an intuitive principle.

"The entire superstructure of Inductive Philosophy rests upon the principle in question. . . .

¹ "Human Intellect," p. 594, *et seq.*

"It has already been shown that the Inductive method rests upon several assumptions. They are such as these: Nature is uniform in her operations and laws, etc., etc."

"These and other like axioms of the student of Nature are but varied applications of the principle in question, viz., *that in the universe, objectively considered, there is an intelligent and wise adaptation of powers and laws to rational ends, and that the same is true of the relation of the universe to the knowing mind.*"

That the mind finally reaches this conclusion, we admit—if not by a process of induction, by a principle of faith or instinctive belief. The difference between this instinctive belief and intuitive belief we have tried to explain in another place.¹ But in presenting the proof for the existence of design in Nature we certainly have given two elements which are sufficient for our work, even if one rejects the strong ground taken by President Porter; these are causation as an intuitive principle of belief, and man as a known cause, revealing in his acts final cause, giving us a type or standard by which we necessarily test our proof in searching for intelligence in the works of Nature.

With causation as an intuitive principle, and with man as our standard of an intelligent cause, we proceed to inquire if there is in the universe another cause like him in kind?

In searching for design in Nature we naturally consider special adaptations first, because the plan in them is so simple as to be readily perceived; and then we pass on combining these, until we see their relations to the whole plan of which they are a part. In presenting the proof, after it has been once reached, we may reverse this order, perhaps with profit. But to do this understandingly, we must have some specific end which we propose to reach in our investigations as the final step in our proof of thought or design. This end in Nature, which as a final result makes belief in an intelligent cause a necessary mental operation, is the preservation and enjoyment of sentient beings, including man himself; for as a physical being, at least, he is a part of Nature.

In tracing the provisions that show design, we can in the space allotted to us do nothing more than follow a few single lines of adjustments and contrivances, while hundreds of others

¹ "Instinct in Animals and Men." Lect. X.

branch from these in all directions, each leading to the same kind of proof, and all taken together, by their number and adjustments to each other, eliminating the possibility of chance or mere blind operation of force, and demanding belief in an intelligent ordainer, forcing this belief through the necessary operations of the human mind. But that this belief may be forced upon us, the things must be seen and not merely be mentioned by name; and they must stand for what they are worth as proof by themselves, and not be mingled in a chaotic mass with theories and questions that have no legitimate connection with them as elements of proof.

If there is a single fact which all scientific men now accept as proved beyond question, it is that our earth once existed without a single organism upon it. To a being like man, the physical forces of gravitation, cohesion, and chemical affinity would have appeared for ages the highest manifestations of power on the globe.

Now the earth is swarming with life—with plant life, that is adapted to it through organization alone; with hundreds of thousands of forms of animals, that have instinct or intelligence, or both, added to organization, by which they complete their adaptation to it. Standing among these, or above them all, is man, who can comprehend the relations of those lower forms to each other and to himself, and who knows that he and they have come into being on a globe that once moved through the heavens void of life. That we are here, is the greatest marvel of the universe to us. We are here through the agency of a cause adequate to produce the result—to produce man and provide for him as a person.

It would be proper, then, for man to study, first of all, his own being and the provisions that have been made for him; for if there is any purpose revealed in all this marvellous order of things, it is reasonable to suppose that it will most fully and clearly appear in the structure of, and provision for, the highest being in the kingdom of life; the one, by common consent, ranking far above others in all essential respects.

Man is the central figure in all this investigation and discussion. We might commence with him, but we prefer, as we have intimated, to trace the line of adaptation by which provision

is made for man, and incidentally to treat of those provisions made for other sentient beings. Let us, then, briefly state the facts that are known in reference to the earth as a dwelling-place for man, point out those conditions that are essential to his existence here, and then call attention to those other conditions that belong to him as a person, that enable him to progress indefinitely in his power over Nature, to compel her to minister to his wants. In doing this, we necessarily discuss some of the most important questions that arise in a survey of the forms of life below man, because the very existence of man depends upon plant life.

The first thing that claims our attention in this discussion is the constitution of the earth itself, that makes any form of life as it now exists possible. Organic beings are composed of certain elements that help form the earth. The quantity and quality of these elements, their distribution and arrangement as compounds, and their chemical relations to each other, all have relation to the existence and enjoyment of animal life. Take from our globe carbon or hydrogen, oxygen, nitrogen, or phosphorus, or a single one of several other elements that might be named, and none of the higher plants or animals could exist. If hydrogen or some other easily oxidizable substance had been present in excess in past time, the oxygen that now forms our atmosphere would have existed only in combination. Then no animal could have lived upon the earth. We are apt to think of the globe as a very crude mass of inorganic elements; but it is, in truth, a body of wonderful adjustments in the materials that compose it and the forces that control them. When we see what slight changes in the number or relation of the elements composing our globe would have rendered life upon it absolutely impossible, we are struck with wonder at the perfection of that grand work by which elements were brought together in quality and quantity so perfectly adapted for filling the earth with the untold number of living forms. For one who understands the primal condition of our globe and the geological changes wrought upon it, by which the present forms of life have become possible, there is an evidence of design, of which the gathering of stone and timber and iron by man for the building of his structures is but a rude example.

This subject is worthy of a full elaboration, but our limits forbid it.

We pass to the consideration of the kingdoms of life as we find them now. And first, of the plants, because they are lowest, and because all their adaptations come through organization, through the structure and automatic function of organs alone.

We shall first present the accepted facts in regard to the growth of plants, the structure and function of their organs, and leave for subsequent discussion the theories by which the value of these facts, as evidence for design, is supposed by some to be weakened or destroyed. We shall be compelled, by our limits, to make general statements, and leave many points unguarded by explanations and notice of apparent exceptions.

In all plant life there is the power of taking food. The chemical compounds needed for building up plants are taken by them from earth and air, are decomposed and recombined and used for forming the different tissues, in all their modifications. In some plants the course of life is but for a few days or hours; in others, it keeps on its course for centuries. In some, the structure is never more complex than a single cell or thread of cells; in others, the complication of parts is a wonder, as in the oak or rose. But in all this growth, from the simplest form to the cedar and palm, there is a plan for each, according to which it is developed; and in the highest, a complicated adaptation of means to ends in the structure of parts, distribution, and forms of organs. Given the end to be accomplished in each organism, and he would be a learned and wise man who could equal the perfection of the plan for its accomplishment in each, even in the simplest. The outward, visible structure of each one of the thousands of kinds commends itself to men, as they see its fitness for the work required. And the more careful study of inward structure and relation of each organ to the whole shows the same beautiful harmony of parts and perfection of adaptation throughout the entire organism. Pass through a forest of meadow, pass from zone to zone, and see the wealth of forms that clothe the earth—the algæ that fringe the ocean, the mildew and other fungi, the lichens and mosses, the rose and oak and palm, grasses and flowers and vines—each one a study for days and months, each having some peculiar condition of life,

each doing its work for itself with absolute perfection, if all its conditions of life are given. All these have sprung from a globe once destitute of living forms; but here they are, feeding, growing through the combination and appropriation of chemical elements. There is certainly adaptation of means to ends plainly apparent in each one of them; such adaptation by external form as no intelligence of man can surpass. So far as we can trace their internal structure and the function of their organs, the same kind of adaptation is repeated.

If any one of our commonest trees were like glass, with colored tissues and fluids, so that it could reveal to the passer-by all the chemical and vital changes within, we should gather around it in wonder and admiration.

But this machinery does not move on without interruption. In the temperate zones, the leaves of most trees all die and fall each year. Provision was made for this change when the leaf was formed. And as the leaf is the organ of elaboration of food for its own growth even, provision must be made for its renewal. While the leaves were yet green, and the tree seemed in the strength of its life, building up its tissues, it was forming embryo leaves to be unfolded another year, and storing up in its tissues the prepared food on which they were to feed, till able to provide for themselves, for the tree, and for a generation of leaves to follow them.

This is, in brief, the work, the order of life, in a single tree, after it appears to us as a tree. Equivalent work is done in other forms—in root and tuber and bulb. In the sleeping forms beneath our winter's snow, how perfectly the work has been done! The ample provision for future development has been made by the storing up of food and forming of buds, so that, at the first warm breath of spring, every root and bulb may send up its blade and flower as by enchantment.

This storing of food by plants for their own use against a time when unable to procure it for themselves; this provision for the future, made for a single year, or, as in some plants, during a long series of years—is one of the marvels of the vegetable world. The perfection of the work, the many ways in which it is accomplished, its evident necessity for the continuance of so many kinds, its repetition from year to year, would seem to

stamp the whole arrangement as the work of an intelligent being.

And now another phase of life appears, depending upon contrivances more varied, and in many respects more tangible, than any that have yet been named. This is reproduction. The individual plant, if left to itself under conditions adapted to its nature, completes a given cycle of growth, and then passes away by the law of its being. But before its cycle is completed it makes provision for the continuance of the species. This is done in various ways; but it is accomplished mainly through the principle of sexuality, which probably prevails in some degree in all organisms, from the highest to the lowest. The final cause of sex in plants and the lowest animals that may be propagated by other means, may not be understood by us as a necessity, certainly; but this question has nothing to do with the study of final cause as related to the organs and functions, all the varied machinery, through which this principle acts in securing the continuance of the higher species, as they now exist.

We must here confine ourselves to a few of the forms that are easily examined and well known. The microscope simply reveals repetitions of the same thing in kind; and the more complicated and rare adjustments for the fertilization of flowers differ no more in kind from those found in the violet, lily, or rose, than the compound microscope differs from the single magnifying glass. The complexity of the compound microscope may be curious, admirable; but in reality it is only an extended application of the principle involved in the simple lens; and is no stronger proof of design than this single convex glass, when properly mounted for work.

The problem always proposed by sexuality is the mingling of two diverse materials for the production of a new centre of life. There must be an incipient germ, or something potentially its equal, and that must receive additional power from the mingling of a distinct substance from without. In the ordinary plant there is the germ vesicle, in the ovule at the base of the flower, which must be reached by the pollen, or some part of the pollen, which grows on the stamens of the same flower, or some other flower of the species.

What we marvel at here is the variety of means, and the

perfection, amid all this variety, of structure and function and relation of organs, for securing this single result.

If the problem had been proposed, to convince the world of design in Nature, by a multiplying of methods of the utmost possible diversity and perfection of adaptation in each case, it is impossible to conceive of a more successful result for meeting the required conditions. No ingenuity of man—of all the men that ever existed—could have conceived of the work as it has been done; no man can conceive of it till it is seen; and when seen, no one can improve upon the work or the contrivances that perform it.

In the plants fertilized by wind, there is the abundance of pollen to allow for its loss. The pollen is matured and set free when the stigma is just ready to receive it. The tassel upon the corn scatters the vitalizing cells, and the silks that hang from the top of the ear are all ready to catch their portions and give life to the golden grains. Of cross-fertilization here suggested we cannot now treat directly, though this presents a whole series of special contrivances to secure a result readily perceived, though the final cause of the result may not be understood.

In those plants that produce well-marked flowers, such as may fertilize themselves or are fertilized through the agency of insects, a structure is found that gives delight to man, and a function that gives support and enjoyment to insect life, by the production of honey. And yet the flower that gives delight to man, and the honey that gives enjoyment to the lower forms of life as well as to man, are so produced and arranged that primarily they secure the propagation of the plant. The color of the petals may attract the insect, and the honey is ready when the pollen is ripe for distribution. It is so placed in relation to the parts of the flower, that to secure it the insect must scatter the pollen and become, in his eager work for himself, an efficient agent for preserving on the earth every species of plant from which he gathers his stores.

If this result were secured in a single plant only, or if the parts of all flowers were the same in form and arrangement, we could not fail, even then, to see adaptation of means to ends. But now we see this result reached through every possible di-

versity of form and arrangement of parts. This diversity may not strengthen the argument for design directly, but it may become an important fact in meeting those theories that would explain all those adjustments by the operation of blind agencies.

Two examples of fertilization from the thousands—one simple and the other complex—will be mentioned here. There is in all these cases one thing to be done—*fertilization of the seed*; or perhaps we might say two things are to be done, if we should treat of cross-fertilization through specific contrivances. The examples we give will present almost the extremes of simplicity and complexity of arrangement for fertilization through the agency of insects.

The first example is that of the Squash, which, though a monœcious plant, is as easy a case for examination as can be found. The stamens, joined together, rise in the middle of the flower. The corolla is so arranged that an insect, to reach the bottom of the flower, must press by the anthers that are ready to give up their pollen when the flower opens. But at the bottom of the flower is a pot of nectar, for which the bees are eager. The bee emerges from the flower dusted with pollen. The other flower connected with the fruit has a pistil rising in its centre; and here too the nectar is stored, at just the time the stigma is ready for pollen; and here the bee, coming from the staminate flower to gather additional treasures from the pistillate, scatters upon the pistil the fertilizing dust; and the work is done. The pollen and honey and stigma and ovule are all ready at the right time and place. The form of the flower and the structure of the bee correspond as the key to the lock; and the instinct of the bee that sends it to the flower for food is the active agency in the whole chain of means. Without such agency as the bee performs, these plants could not be fertilized, and the species would perish.

The second example is the *Orchis pyramadalis*, fully described in Darwin's excellent work on the Fertilization of Orchids; though essentially the same things can be seen in other orchidaceous plants.

The pollen in this flower is contained in two little packets with pedicels. On the bottom of these pedicels is a glue, that becomes suddenly solid when exposed to the air. The packets

and pedicels are perfectly protected by the structure of the flower till an insect approaches for the honey. The flower is fed upon by a moth with a long proboscis. In forcing this proboscis into the flower, the pedicels are laid bare, and their gluey points touch the proboscis and adhere to it; and the two packets are withdrawn from the flower, standing glued upon the proboscis like two miniature horns. But now, by the action of drying, they begin to bend forward and down, so that the packets hang below the proboscis. The insect now approaches another flower, the stigma of which is just below its throat, and has upon it a glue. As the proboscis is thrust in, the bent packets come directly in contact with the stigma and are glued to it; while two other packets are glued to the proboscis above. When the insect attempts to leave the flower, it ruptures the packets of pollen glued to the stigma, thus fertilizing that flower, while it bears off two additional packets to fertilize another. We do not ask here, Why all this complication? We simply point out the complexity of arrangement and perfection of result. It is well, however, for future use to remember the elements here combined: form and structure of flowers; position of packets; glue to fix them to the proboscis; their hygrometric action by which they bend into proper position; the glue upon the stigma sufficiently strong to rupture the packets; the structure of the insect, and the instinct that sends it to the flower.

But all these structures and processes are for the production of seeds to act as independent centres of life. Each seed contains the germ of another individual essentially like that from which it came. This germ is a combination of cells, with power to develop under proper conditions into the perfect plant. But this germ, at first, can only feed and grow; it cannot elaborate its own food from the inorganic compounds, as can the plant in another stage of its existence. When the germ was formed by the mother plant, she stored up around it, or in connection with it, the elaborated food it first needs—sugar and starch and oil, gluten and salts—all ready prepared as food, or fitted to form, by chemical changes, the food the germ needs, till it develops organs that can absorb and assimilate the gases and salts from earth and air.

When the seed is perfected, the next thing in natural order

is its distribution; and for this work the means are often as specially adapted to the end as are those concerned in fertilization.

Springs, hooks, barbs, wings, and plumes are all employed, in various modifications. And acting with these means, there are often other subsidiary structures of capsules that are as marked in their adaptation for setting free the seeds, as the other agencies are for distributing them. There is also the indirect agency of animals, that seems to have a direct relation to several of these methods of distribution.

Of springs, we have a familiar example in the *Impatiens*, allied to the Garden Balsam. Its capsule, when ripe, bursts at a mere touch, and its valves coil like twisted steel wires, throwing the seeds in all directions. In the wild Cranesbill (*Geranium maculatum*) there are generally but five seeds from each flower. Each of these seeds is enclosed in a valvular pod joined to the bottom of the style, which is fastened far above to the prolonged axis. When the fruit is ripe, each of these styles has become a spring. A slight touch, and the spring pulls the pod from its fastening, ruptures its under side by the process, and projects the seed as though hurled from a miniature sling. Thus one seed after another is thrown from the parent plant, so that all the seeds have a tendency to form a circle around it.

For hooks we can find no better example than the troublesome Burdock, that encloses its seeds in a covering armed with such powerful and well-arranged hooks, that men and animals not only bear the ripe packages along with them whenever they touch them, but can hardly get free from their tenacious hold till the packets are completely ruptured and the seeds scattered.

Various species of *Bidens*, or Spanish needles, give us fine specimens of spear and barb. The permanent covering of each seed is armed with from two to four sharp prongs; and upon them are recurved barbs, that do their work with a certainty that most persons have cause to remember. This certainty of action is secured by no indefinite combination of parts, such as would suggest to the mind a possible chance arrangement or result of external agencies or conditions; but the form and position of the needle-like prongs, the relation of the barbs to each

one of them, their size, perfection of finish and position, cause these appendages of the seed to impress us as a contrivance of unsurpassed perfection for transporting it from the place of growth. And all this complex and perfect contrivance can hardly be claimed as existing simply as a necessary condition of the life of the plant. For the seeds, in number and tenacity of life, show plainly that these plants might hold their own with others that have no such aids in distribution. These plants are now generally regarded as pests: but we are not here attempting to explain the final cause of the plants themselves. The proof of contrivance for doing any work, is not affected by the desirableness of the work itself. We may not understand all about that; we may have to wait for future revelations, or such revelations may never come in reference to the worth of these plants; but needle-points and barbs we can understand, and may be able to see at once that their complex structure is perfectly adapted to the work they perform.

The maple and elm give the best known examples of seeds with wings or membranes to favor their distribution by the wind—best known, because each seed with its membrane hangs in plain sight upon the tree. But in the catkins of birches and the cones of some of the pine tribe may be found a multitude of seeds far better provided with wings than those that are so well known. The seeds of our birches, when loosed from the catkin, remind one, at once, of minute but well-winged insects; and in the wide pods of some Catalpas will be found a mass of seeds with membranes closely packed; but each one of the seeds when thrown into the air is so sustained and moved by any current, that one cannot fail to be struck with its likeness in form and motion to a butterfly or moth.

In the catkins, cones, and pods, the seeds are all found packed into the smallest possible space by the process of growth; but when the cone or pod is ready to release the seed, its wings are ready for the wind to bear it away.

Of the plumes, some of the most marvellous forms seem to have escaped study, in a measure, from their very commonness. The world does not furnish a better example than the common dandelion; and no ingenuity of man can improve upon the structure of the plume, or the arrangement by which it is made

available for its work. The dandelion is composed of a mass of flowers on a common receptacle, giving the head the appearance of a single flower. After this head has opened and the little flowers are fertilized, the common involucre closes the head, and the flower seems to have withered. But the work is not done. The scape, or flower-stem, elongates so as to raise the head of flowers; and while the fruit is forming within, the upper point of each seed elongates into a long slender thread, carrying upon its point the tuft of fine capillary bristles that once rested, as a modified calyx, immediately on top of the seed. When this work is all done, the common involucre opens, folds back till it touches the stem below, drawing the receptacle into a convex surface above, thus separating the mass of flowers from each other; and we see, as it were, a second flower—more beautiful than the first—that globe of fairy-like work that makes the dandelion, with its perfected fruit, one of the most unique objects in the vegetable kingdom; one that would attract the attention and call out the admiration of every beholder, were it not so common.

The head thus lifted by the long flower-stem and opened into a globe of plumes is shaken by the wind, and the seeds sail in the air, each one hanging by a slender thread from its miniature balloon of delicate down.

A single seed, as it floats in the air, is beautiful in its arrangement of parts; but when we remember the complication and joint action of the flower-stalk and head, by which each little seed becomes an aëronaut to sail through the air to reach a place for growth, we have another instance of the complexity and perfection of means to secure a single result.

An abundance of other plants, belonging to the same botanical order, have essentially the same provision for distribution of seed, though the structures are not so attractive in appearance.

Other plants belonging to very different botanical families have a similar provision, though the seeds grow packed in follicles or pods. The Milkweed (*Asclepias*) and the Epilobiums will suffice for examples. In the Milkweed, seeds and plumes are packed into a compact mass; but when the fruit-covering opens, the long, silky threads attached to each seed diverge, and

the seeds float through the air, objects of beauty in the silky lustre of their plumes and in the perfection of arrangement for their distribution.

The slender pods of the *Epilobiums* and *Apocynums* are packed with just such well-provided seed ; so that their distribution is so thoroughly and secretly accomplished, that the *Epilobiums*, or fire-weeds, as one species is sometimes called, are thought by some to spring from newly-cleared land, without seed. The only limit to such descriptions is space, and the only ground of hesitation in selecting these examples is lest we should omit others better known or more easily studied.

The outward provisions found in the growing plant to favor its own development or the production of fruit are marked and varied ; but we can refer here only to the provision for the support of weak stems. There are vines that flourish upon the ground ; but there are others that are plainly better provided for by supports.

The methods of climbing are various : by twining, by root-lets, by leaf-stalks, and by tendrils. The methods by twining and tendrils are all we can mention here.

In some species of beans, whenever the axis of the plant is so elongated that it cannot support its own weight, it hunts for a support. The terminal bud describes a circle, the circle increasing in diameter as the axis lengthens till it finds a support, or, failing in this, falls to the ground. The process in all twining plants is essentially the same, though they may belong to botanical families far removed from each other. Some plants twine with the sun and some twine against it ; and most twiners have nearly allied species that do not climb at all.

The common pea, though near to the bean botanically, is supported by tendrils formed by the modification of a portion of its leaves. Tendrils are simply natural strings, that twine and fasten themselves to hold plants in place. An example of well-marked character and permanence is found in the tendril of the grape, and one of greater complication still, in the woodbine (*Ampelopsis*).

The tendril of the grape-vine grows in the place of a branch, instead of being but part of a leaf, as is the tendril of the pea ; and it is thus firmly connected with the wood of the vine, and

is itself, finally, formed of tough woody tissue, as it needs to be, to hold the heavy vine, winter and summer, in place. When the fine tendrils have fastened to any object, their main trunk becomes coiled so as to draw the vine nearer the support ; and the elastic coil acts as a spring, so that the tendril is not easily broken by any sudden strain of the vine upon it.

In the woodbine, we have all the arrangements found in the grape-vine and something additional, that fits the plant to become an ornament on places where the grape could not keep itself in place. Its tendrils will twine like those of the grape, if a proper support is offered them ; but if there is nothing but a bare wall, they are equal to the work required. If there is a crack to be found in the wall within the reach of a tendril, it seems sure to find it ; and its point finally becomes so enlarged within the crack, that the tendril is broken before it can be withdrawn. If no such place is found, the points of the tendrils are enlarged into disks, which fasten upon the bare surface in such position that the divisions of tendrils all act together in sustaining the weight, and the tendril can in most cases be broken before the disks can be pulled from the surface to which they attach themselves.

A full description of the movements and subsidiary arrangements, by which all the support of climbing plants is secured, would be curious, but would hardly add to the significance of the means already described.

We have now presented the points relating to the vegetable kingdom that we desire to refer to as *results*—results that are generally known to all students of Nature.

It would next be in order to present the same class of materials found in the animal kingdom. It is here, rather than among plants, that Paley supposed the greatest strength of the argument for design to be found. He was probably correct in this view of the case, as the number of animal species is not only far greater than that of the kinds of plants, but the complexity of structure in animals, and of their relations to each other and the world, is far greater than can be found among plants ; and yet the complexity does not prevent the certainty of result reached through adaptation of means to ends.

Each group of animals is not only fitted to the world by

certain structures, functions, and instincts, which they have in common; but each kind has its multiplied and various adaptations to meet its own needs. Each bird and each insect has not only the adaptations that belong to its own class, but each bird and insect has those special structures and functions fitting it for a peculiar mode of life, and by which it is distinguished from every other species of its kind—the species that may occupy with it the same territory, and have the same external conditions of life to contend with.

A volume, rather than an article, would be required to give a tolerable list of contrivances found in animals, if an attempt were made to give them at all. They are not needed for our present purpose; for all that is reached in the animal kingdom through mere structure as the result of the operation of physiological forces, is seen in kind in the vegetable kingdom. We shall therefore pass at once to notice the operations of instinct—those phenomena in the animal kingdom that show a more far-reaching agency than any thing found among plants, making links in a longer chain of means to reach final result. In doing this, we shall have, incidentally, to notice examples of structure and function both in animals and plants.

As instinct is the first agency for carrying adaptations beyond the limit of the possible work of mere physiological structure and function, it comes in to utilize both of these—to take up the work where they leave it, and thus make them both more efficient than they could otherwise become.

When we say that instinct is the first agency in this work, perhaps we ought to except reflex action, which in some cases can hardly be distinguished from instinct; and some consider all instinct to be only different forms of complicated reflex action.

The discussion as to differences and definitions has no vital bearing on the question before us as to design; for in the first instance here, as in physiological action already considered, we look at results.

An *instinct* seems to be an impulse towards, and a guidance in, performing some action which the being needs to perform as an individual or representative of a species, but which it could not possibly learn to perform before it needs to act.

INSTINCT, as a general term, properly includes all the original impulses (excepting the appetites), together with that apparent knowledge and skill with which animals are endowed, which experience may call into action, but which it cannot give to the animal in which it appears.

Questions as to the origin and growth of instinct will be in order after the results have been stated.

The argument in favor of design as revealed by instinct is founded, first of all, on the fact that the continuance of the great mass of species, as they now exist, depends upon instincts that must act as soon as the being comes into the world ; and in the second place, upon the number and diversity of the complex operations of instinct in securing specific results essential to the continuance of certain forms of animal life.

We can but indicate the different phases of instinctive action, and cite brief illustrations.

1. In the majority of cases among the lower animals, as high in rank as insects, fishes, and reptiles, the young never have a parent's care. The egg is deposited in the proper place, and the parent never sees it again—often dies before the egg hatches.

Among the insects, one or two will answer our purpose.

The tent caterpillar lays her eggs upon the branches of the apple-tree, or some other, upon which its young can feed. Then the insect dies, so that in the spring of the year this species is represented in New England only by eggs. These hatch just as the leaves begin to open. They feed, spin their tent for their common larval life, separate at full growth, and each seeks a proper place for itself, and there spins a cocoon for its transformation. The history of one is the history of all in the nest. The history of one nest or tent is the history of all others. The complex work of instinct is done in regular steps, and leads on to the perfection of the insect as regularly as do the physiological changes in its body.

The seventeen-year-locust is an example a little different in kind. The young grubs enter the earth and mine there for seventeen years, and then all come forth for their gala day, to repeat the work done before they were hatched.

There is another phenomenon, still, that appears in the history of some insects that are left by their parents entirely to

themselves for support. Certain insects deposit their eggs in the tissues of oaks and other plants that seem to act as nurses for the young.

In oak-galls and oak-apples, so called, we often find a curious structure. The tree, from its own proper food, forms an elaborate home for its insect foe, and furnishes it with food. The provision would be a curious one if made by but one plant in the world. But we find several different kinds of insects provided for by the oak, and a like provision is made for others by roses, potentillas, spruces, willows, and many other plants. It is thought to be a curious thing that the mother insect should deposit her eggs on plants upon which her young can feed, though her own food may be of a very different kind. But stranger still it is that she should know what plants will build a home and furnish food both.

There is an example that occurs frequently in New England—an insect that stings the common species of golden-rod that grows by almost every hedgerow. The stem of the plant forms a home in which the larva lives well provided for until ready to go through its final transformation. Then it gnaws an opening or canal through the side of its house, leaving only thin bark to act as a door. Then withdrawing to the centre, its transformation is completed, and the full-grown insect makes its way along the canal, pushes open the door, and is free. The plant draws upon its own food to house and feed this insect foe, as though it were its own child. The young insect in turn cares for itself as well as though it had known the history of its ancestors for a thousand years, and had perfect knowledge of the external world, which it never sees till all its changes are completed and all the work described is done.

Passing to fishes, we have a well-known fact, true of several species quite distinct from each other. The salmon illustrates the point. If its eggs are put into a stream fitted for their development, the young salmon care for themselves. When the proper time comes they go to the ocean to feed, and then at the breeding season return to the river; the female selecting the proper place for depositing her eggs, and the male following to fertilize them after they are deposited. The fish makes its way back from its long wandering in the ocean with certainty

to its early home, and does all the work required for propagation of its species, as all others of its kind have done in all ages. There is no care, no instruction, and, in the first stocking of rivers with a new kind, no chance for observation ; and yet the work goes on with the regularity and certainty of the growth of the fish itself, through physiological forces.

If we pass now to the higher animals, we find instinctive acts of the young a necessity to supplement the act or function of the parent.

A great mass of the birds are weak, and blind, and helpless when hatched. The instinct of the mother leads her to select the proper food and bring it to the nest, but she would be powerless to feed her young without their co-operation. They do their part without instruction. They raise their heads, open their bills, and she cares for each. This simple act of raising the head and opening the bill must be common to all birds that remain for days and weeks in the nest. They must perform this act at once or die. How numerous and diverse the species to which this action must be common—from the humming-bird to the eagle ! If the act is regarded simply as reflex instead of instinctive, its significance is the same.

The young of all hoof-bearing animals must seek the udder for themselves, as the mother cannot aid them. When did the different species learn to do this work, which all the young now know how to perform as soon as they are born—which they all must know, or die ?

Another case of the interaction of the instinct of the parent and young is seen in the common fowl and partridge. The mother gives the note of warning when a hawk is seen, and the young rush not to her for protection, but from her, to find a hiding-place for themselves.

Passing to more complicated cases, we have, in numberless instances, structure, function, and instinct directly combined to produce the required result, each one useless by itself, but when combined working with harmony and efficiency. The feathers of birds are so constructed that they cannot receive oil from the body, as does the hair of animals. It must be applied to them. Near the tail is a sac that secretes and holds the oil required. The structure of the sac is such that the bird can

force the oil from it by pressing it with its bill, and then it applies the oil to the feather and readjusts its web by drawing it through the bill. The function of the sac and gland for the secretion of oil, the outward structure of the oil-sac, the form of the beak of the bird, and its instinct to put them both to a proper use, are all required to secure the dressing of the feather.

A greater complication of instinct, still, is seen in communities among ants—the so-called white ants—and bees. These are so well known that they need no description here. There are certain elements, however, that need to be enumerated and remembered for future use.

In the honey-bee we have, first, the instinct for gathering honey, and a wonderfully complicated structure that enables her to do this preliminary work. Then she must have the function of secreting scales of wax in the rings of the abdomen; then the instinct, instruments, and ability to combine these scales of wax into the comb for holding honey. The mother of all these workers, the queen, never does any work; their father, the drone, never does any. The bees that do all the work, and have done all the work for these thousands of years, have never produced any young. The whole economy of the bee-hive is a chain of structures, functions, and instincts, complex in the extreme, and yet so interlinked that they all work together like the springs and wheels of a well-adjusted watch.

These examples give directly, or will suggest, all that we shall need for our present purpose. They plainly show means adapted to ends.

We next come to the consideration of man. We have already noted the conditions of this earth that make his life, as well as all other life, possible. The results that we have noticed thus far in the vegetable and animal kingdoms have in many cases much to do with his life or enjoyment. We might also trace his structure, in which Paley found the strength of his argument for design; but we propose to pass all this, to consider, briefly, the provisions on the globe that he appropriates through his intellectual nature—the provisions for his progress—provisions for just such a being as he is, as he plainly was, before he knew that the provisions existed.

The argument for design found here is stronger to-day than

it ever was before, as we know to-day better than ever before the provisions on the globe for man, and his power to use them; provisions that were made, many of them, long before man appeared on the globe; and the powers for appropriating these provisions were in him from the beginning; or, if one objects to this phrase, long ages before the powers were properly used to make these provisions of the globe available to his use. This argument will gain strength from age to age by every new discovery that gives man new power over Nature or brings her products into better service for him.

Let us mention a few of the provisions that seem to be made for man, as man. As a mere animal, the natural fruits of the earth and the lowest forms of animals could furnish him food; natural caves or rude huts, a shelter. He could live without clothing, or with the skins of the animals that furnished him food. This is no fancy sketch, for there are tribes now living that rise no higher than the degraded type of life here indicated. The world furnishes abundant proof of how little is required for men that they may live on the earth--of the difference between the possessions of the squalid, savage tribes that now exist, holding their place on the earth as their fathers have done for thousands of years, and all the possessions of the civilized man, in art and science and the products of both. Mark well the Australian and the Fuegian, the savage wherever found, and then go through any one of the great cities of the civilized world and look at the products, the appliances for life; go into the great exhibition, and see the products of man brought from all quarters of the globe, and in the contrast of the two, mark what are the provisions on this globe for man which are not needed simply to keep him here. You say man has done all this work. Yes; but the materials, with all their wonderful properties, are natural products: without these furnished just as they are to his hand, these things never would have been. And the more these things are studied, the more wonderful are the revelations of structure and property in those natural products that make it possible to use them as they are used. This subject, by itself, opens a whole field of examples of special, curious adaptations; so that a roll of cloth, a telescope, or a painting glowing with warm colors, each reveals, to one who knows its history, a

whole chain of properties and relations of materials to make that product possible.

But these are the products of the intelligence of man, it is said. But man had the intelligence before it was brought to bear upon these provisions that existed before our race appeared. Here were the provisions, the possibilities, in the organic and inorganic world; and here was man, with all the powers in kind which he now has, whether he appeared as the Bible presents Adam to us, or came as a savage, as some claim that he came. We are sure that the provisions were here before man came; we are sure that he had powers to avail himself of these before he used them. And now we begin to see how wonderfully they are adapted to each other—man to the earth, the earth for man. The men of the last century had all the powers possessed by the men of this; the materials, forces, and capabilities of the earth and organic beings were the same then that they are now; but what a wonderful advance has been made in revealing the relationship of all these things to man! He desires to perform wonders, and he discovers in the materials and forces around him the means for meeting those desires—means as old as the race. He provides for his enjoyment, making all the kingdoms of nature and all lands tributary to his daily wants; and at the touch of his finger the very globe trembles, as it conveys his thoughts beneath the ocean and across the continents, revealing them at the place of his command, almost annihilating time and space.

It may be profitable to mention a few of the specific provisions that are constantly revealing more fully their adaptation to the higher nature of man, or their adaptation to the physical nature through the agency of the intellectual. We can only indicate the lines of study without pursuing them.

The vast quantity of coal and its allied products of bitumen and oil are absolutely essential to the present civilization. The conditions of the earth in past geologic time, by which these deposits were made; the relations of these substances to others through chemical affinity, by which they take so many forms which man can utilize—fairly bring them all into the argument for design in Nature.

The same can be said of the metals, especially of those like

copper, lead, silver, gold, and tin, that never are found in organic beings—that have no possible use to any animal on the globe, and none to man, except through his intellectual nature. Iron is found in organic beings, but its beds and mountain masses have no special significance, except in connection with man as an intellectual being. But given such a being as man is, and such a metal as iron is, see what they are to each other! One feels that the two parts fit together; that we have an adaptation that could hardly chance to be.

As has been intimated, the natural fruits are sufficient as food to keep man on the earth, and the tints and forms of natural flowers are fully fitted to awaken any love of the beautiful implanted within him.

But both fruits and flowers seem to be plastic in the hands of man. As he cultivates them, they respond, expanding in fruit into globes of luscious pulp—a draft upon the plant, and of no benefit to the species, for in this increase of pulp the power of producing seed may be lost. The flowers increase in size and beauty until in some of them no seed can be produced; they are simply a wealth of beauty.

Of this adaptation of fruits and flowers to the wants of men, by a sacrifice of their own utilities as mere plants, having no higher purpose than to keep their species on the earth, we have treated more fully in another place.¹

But illustrations of the subject are now beyond our power to number, and the illustrations are appearing in new forms every year.

We have now presented the results upon which the argument for design in Nature must rest, as fully as we can do it within the limits assigned for this article. We have been compelled to leave whole fields of evidence untouched, and we have made no attempt to treat of design as revealing the distinctive character of the Creator.

Two things we wish specially to notice here. First, we present these results as proof, without any reference to theories—as proof that no theories can weaken. In the second place, we present these results as reached in many cases by means not essential to the existence of species in which they are found.

¹ "Natural Theology." Lect. VI.

Abundant illustrations of design may be found in what may be called the *excess of means*; that is, in means not needed for the preservation of the species as it now exists, or for the preservation of any other species under any conceivable circumstances, in the past history of the earth. All the provisions made for man, other than such products of the earth as can be used by him in their natural state, are of this kind; and a like excess of means may be found among animals and plants.

But as certain theories have been brought forward which some have supposed invalidate the teleological argument, it is in order now to notice them.

The prevailing theories respecting the origin of species may be reduced to three.

The first is, that each species had an origin entirely distinct from all others; that its original ancestors were direct creations.

The second may be called, Evolution according to a plan. From a single germ, or many germs, we may suppose the present forms to have sprung according to a fixed law and plan of development—as each tree is developed, with all its tissues and organs, from the germ in the seed, or the bird from the egg. This evolution of individuals from germs we see constantly taking place around us; and the being thus produced shows none the less the power and wisdom of the Creator, than it would show them coming full formed from his hand.

In like manner, if we suppose a single germ were created that had the power of developing through all ages, throwing off such beings from time to time as were fitted for the earth in all its changes, no one could think that such a method of creation would show forth less power and wisdom and skill than would the distinct creation of all the species in their order. The creation of such a germ would involve as high powers as could be conceived of. Such a theory, if accepted, would not weaken any of the arguments in natural theology. Whether it would accord with the Bible or not is a distinct question, with which we are not here called upon to deal.

The remaining theory may be called the Darwinian, though it is almost impossible so to define it as to embrace all the

diverse views of those who claim to be Darwinians. Some who claim the name are theistic; some are plainly atheistic, or pantheistic. Mr. Darwin's own views of the agency of a Creator are very difficult to reach—certainly very difficult to state in brief. He says in his "*Origin of Species*:"¹ "I believe that animals are descended from at most only four or five progenitors, and plants from an equal or lesser number." On the same page he goes on to show that it is not incredible that both animals and plants have developed from some "low intermediate form." On page 436 he places the origin of the primordial forms long before the Silurian Epoch. From these he plainly states that all living forms have descended.

For the development of these primordial forms or germs into the present diversified forms of life he presents certain operations in Nature as agencies: Variation from generation to generation; Tendency in each kind to transmit these variations; and Natural Selection, which is simply the result of natural causes favoring the survival of those forms best adapted to their environment—in other words, there results the "survival of the fittest."

Now all these so-called agencies are admitted, and great results have been reached through them in historic time. And if one believes that all these means have acted not only under law, but according to an intelligent preconceived plan, as some who call themselves Darwinians plainly do, natural theology can have nothing to offer against their philosophy as a mere theory, though it might not be scientifically correct. It would recognize design. It would then remain to prove that it really was or was not a fair presentation of facts in Nature.

But it is plain that these means have been sadly overworked in the construction of theories. They have been put by some in the place of God in the works of Nature. It is only fair, then, to attempt to show that they do not deserve all the credit that is ascribed to them, and that there are some things essential to Darwin's own theory that they do not reach at all. We need only to make in this examination a fair application of the principle of causation.

We begin by asking, Whence came those wonderful germs

¹ Fifth Edition, p. 432.

or primordial forms from which all living things have come by variation and inheritance of variations? How came they by the power of variation and heredity? How came they by the power to reproduce their kind at all?

The truth is, many who use these elements in reasoning ask us to grant certain important things as mere nothings. Give them these few, slight things to start with, and they will complete the work to their satisfaction. The being with which they start—or protoplasm itself—if the origin of all beings now living, must have had the power to develop into such beings inherent in it from the beginning, or new power must have been added to its progeny from time to time; and either supposition requires an intelligent Creator as much as the theory of immediate creation of the species. From such a beginning, below the Silurian rocks, in one low form of life, or in a few such forms, to evolve the wealth of living species now on the globe, including man, as the Darwinians do, the human mind demands a designer with power to execute his designs; he is demanded to make the beginning, even. And if there are those who are confused by the intervention of secondary agencies, and omit from their reasoning what causation demands, we may be sure that this confusion will clear away, and men will finally clear their mental eyes from the glamour of new and specious theories, built on facts that will in the end prove their destruction.

That Mr. Darwin, in the early editions of his "Origin of Species," attributed "too much to the action of natural selection," he admits as probable.¹ That he still attributes far too much to this important fact in Nature, we have no doubt. Natural selection does *originate* nothing; it can originate nothing. And sexual selection, which is brought in to supplement it, has the same radical defect, as an originator, even if we could believe with Darwin that the peacock has been rendered "the most splendid of living birds" because the females have for a long line of descent given preference to the most beautiful males.² If a female selects a mate, consciously or unconsciously, for beauty or any other quality, the quality for which the selection is made must first exist in the male, and

¹ "Descent of Man," vol. i., p. 146.

² *Id.*, vol. ii., p. 135.

there must be the capacity to be impressed by it in the female. So the most difficult things to account for have to be given before the machinery can start. And then, since we find a like perfection where sexual selection cannot act, we have a wealth of beauty to account for that the appreciation of sexes can have no share in.

But we must draw this discussion to a close by citing one well-known case of complex structure and instinct, which Mr. Darwin has treated at length in his "*Origin of Species*."¹ He admits that he thought at first there were questions connected with this and like cases fatal to his whole theory.² But as he seems to think he has reconciled the most stubborn facts with his theory, it is fair to take the case as he has left it, and see if he has really aided us in answering the questions that force themselves upon any one who examines the case, before he comes to what Mr. Darwin considers the most difficult questions for him to answer. The case we take is that of the honey-bee, because it is well known.

As honey-bees are now found, the comb-making, honey-gathering workers never produce young, so that their instincts and variations cannot be transmitted by them. Notwithstanding this difficulty, Mr. Darwin tries to work out the whole problem by natural selection. He admits that "the comb of the hive-bee, as far as we can see, is absolutely perfect in economizing labor and wax."³

His theory in explanation of this result is, that as it takes honey to make comb, those swarms that used the least wax would be most likely to live over winter, because they would have the most honey on hand. So that those swarms would be preserved in which the queen-bee produced workers which were skilful enough to do their work with the smallest amount of wax. This is, in brief, the theory that seems satisfactory to Mr. Darwin and his special followers.

Let us examine the explanation in detail :

1. It would seem that all hive-bees must have originated from one fortunate swarm, as they now all build in the same way.

¹ "*Origin of Species*," p. 216, *et seq.*

² *Id.*, p. 226.

³ *Id.*, p. 224.

2. It fails to tell us how the ancestors of our present bees survived while they were working up to this perfection which is now presented as essential to their life.

3. It implies that honey-bees originated in a cold climate, where long winters made economy of honey essential. We know, as a matter of fact, they abound in warm climates; and in cold climates, good swarms, under favorable conditions, gather so much honey every year, that they can be largely robbed and yet have enough for all their wants. Their skill has gone beyond their real needs.

4. It fails to tell us how bees came by the power of secreting wax and the instinct of making cells at all. They must exist, gather honey, secrete wax, and build cells, before natural selection could have any thing at all to do with securing perfection of comb. That is, the most difficult part has to be accounted for, before this theory fairly begins.

And then, last of all, this skill in building six-sided cells, which he makes depend upon the necessity of saving honey, that the bees may live over winter, is found among hornets and wasps that build their cells of paper made mainly of woody fibre, and never store honey, and never live over winter, excepting a few fertile females that desert the nest and exist in a torpid state.

Before we can accept the comb of the honey-bee as the result of natural selection, we want all these questions answered.

The running of these things back through a long series of changes seems, so far, like trying to make a chain support itself, by adding to the number of its links. We are constantly reminded of the complicated machines that are devised to produce perpetual motion. Every new device added to the machine requires additional force from without to move it.

A single word more in reference to theories to account for instinct. When we are told that instinct is "lapsed intelligence," we want to know how the ancestor came by the intelligence, that has become fixed as instinct in his descendant, by repetition of action. And when we are told that instinct is nothing but habit acquired through repetition of acts that happened to be favorable to the life of the species, we inquire for the origin of those instincts that must come into action as

soon as the animal is born—like the seeking of the udder by hoof-bearing animals. If we are referred back to their supposed ancestors, even back to the lowest marsupials, we simply find more things to account for, instead of finding any relief. If we are referred to the well-known fact that instincts are varied or brought into action through change of conditions or fear of certain enemies, we answer that this fact brings to us a new element that needs to be accounted for. Whence came that peculiar sensibility of organization through which parents transmit modification and increased activity of instinct, essential to the preservation of the species? Not to see design in this, which is given by some as a sufficient account of the origin of all instinct, would be to see design in the photograph, but to see none in all the preparation of the plate by which the picture becomes possible when light falls upon its surface.

We believe the argument for design in Nature may rest wholly upon results which no theories can possibly weaken as elements of proof. It also seems to us that the very theories that are supposed to prove, negatively at least, the non-existence of a Creator, require one of infinite power, wisdom, and skill to supply the materials with which they are constructed. While the heart of man cries out for the living God, the mind of man demands him as an adequate cause for the things that do exist.

PAUL A. CHADBOURNE.

THE ORDO SALUTIS;

OR, RELATION IN THE ORDER OF NATURE OF HOLY
CHARACTER AND DIVINE FAVOR.

NATURAL RELIGION in all its forms presupposes holy character and conduct as the essential antecedent condition of God's favor. Christianity in all its genuine forms presupposes the favor of God as the essential antecedent condition of holy character and conduct.

We propose to discuss the following specific problem, involving the general principle just stated. In the application of redemption to the individual sinner, which, in the order of nature, precedes and conditions the other—justification or regeneration?

I. *All forms of Christianity necessarily recognize the fact that in general the propitiatory work of Christ precedes and conditions our salvation.*

The merits of Christ, on the ground of which God pardons our sins and effectively delivers us from their pollution and power, are equally presupposed in sanctification and in justification. All Christians alike admit in general, that as the moral and spiritual condition of the creature depends necessarily upon the communion of the Spirit of God, and this communion depends upon his favor, the favor of God, the absence of judicial condemnation, and hence forgiveness of sins, must ideally precede spiritual quickening in all its stages. The execution of penalty and the communication of gracious influences cannot proceed at the same time with respect to the same persons; hence it follows that a state of condemnation must cease before a state of grace can be instituted.

Nevertheless the Mediæval and the Protestant forms of the doctrine of redemption appear alike, although in very different degrees, to condition the complete forgiveness of sins and the remission of condemnation upon a work of grace antecedently wrought out in the subject. This, in the Mediæval system, is regarded as a meritorious use of prevenient grace, leading to the desert of more grace, and a divine judgment of legal standing conformed to and grounded upon the degree of actual subjective righteousness attained at any moment by the subject. In the theology of the Reformed and Lutheran churches, justification, or God's sentence pronouncing the sinner released from condemnation, and entitled to the rewards promised to the obedient, is conditioned upon self-appropriating faith; and such faith is of course consequent only to spiritual regeneration.

The *ordo salutis*, therefore, according to the Catholic system, is, (1) Baptism; (2) The cleansing away of the pollution of sin; (3) The infusion of gracious habits; (4) The exercise of these gracious habits in the doing of good works, which merit the favor of God, increase of grace, and finally eternal life; (5) The sacrament of penance in this life, and after death purgatory, by the pains of which the penalties incurred by our sins and the imperfections of our obedience are liquidated, and our guilt expiated, and the legal accounts of our souls finally adjusted.

The order observed in the application of redemption in the theology of the Reformers is, (1) Regeneration; (2) Faith; (3) Justification. The regeneration and faith upon which justification is conditioned being in no sense causes, either meritorious or efficient, of the remission of sins and imputation of righteousness which ensue, but only conditions *sine quâ non*, to which God has been graciously pleased to promise that remission and that imputation, and upon which he has been sovereignly pleased to make them depend.

II. *The problem as it stands according to the Mediæval and Romish system.*

In fact, according to the Mediæval system, this problem, in the terms of its statement, can have no existence, since they regard justification as a real subjective change of moral character, and since they hold that full remission of the penalty of

sin and complete acceptance into divine favor are the result of subsequent penitential expiations and meritorious acts of obedience.

1. They define justification as "not remission of sin merely, but also the sanctification and renewal of the inward man, through the voluntary reception of grace, and of the gifts whereby man of unjust becomes just, and of an enemy a friend." "Of this justification, (1) The *final cause* is the glory of God and of Jesus Christ, and eternal life; (2) The *efficient cause* is a merciful God; (3) The *meritorious cause* is his most-beloved and only-begotten Son, our Lord Jesus Christ, who, when we were enemies, merited justification for us by his most holy passion on the wood of the cross, and made satisfaction for us unto God the Father; (4) The *instrumental cause* is baptism; (5) The *formal cause* is the righteousness of God—not that whereby he himself is just, but that whereby he maketh us just; that, to wit, with which we, being endowed by him, are renewed in the spirit of our mind, and we are not only reputed, but are truly called, and are just, receiving justice within us, each one according to his own measure, and according to each one's proper disposition and co-operation. For although no one can be just but he to whom the merits of the passion of our Lord Jesus Christ are communicated, yet this is done in the said justification of the impious, when by the merit of that same most holy passion the charity of God is poured forth by the Holy Spirit in the hearts of those that are justified, and is inherent therein; whence man, through Jesus Christ, in whom he is grafted, receives in said justification, together with the remission of sins, all those gifts infused at once—faith, hope, and charity." (Conc. Trent., Sess. 6, ch. 7.)

Hence justification, (1) Necessarily presupposes the satisfaction rendered by Christ for human guilt; (2) It presupposes the merit of Christ's obedience and suffering, meriting for his people grace and all things necessary for salvation; (3) Its essential nature is (*a*) the cleansing from pollution, (*b*) the infusion of grace; (4) It exists in various degrees; (5) Its reception depends upon and its degrees vary with each one's own proper disposition and co-operation.

2. The work of Christ is the necessary presupposition of

justification in the Mediæval and Catholic view of it, as well as in that of Protestant. In consequence of Adam's sin, the whole human race is held under a sentence of forfeiture and of condemnation before God. Thomas Aquinas ("Summa Theologia," Pars III., Qu. 48, Arts. i.-iv.; and Qu. 47, Art. 23) distinguished, in the bearing of Christ's work upon the just and holy God, between its value as satisfaction and its value as merit: (1) As satisfaction, it expiates the guilt of sin and atones for sin as a wrong done the infinite God; (2) As merit, it deserves the favor and gracious help of God in behalf of those for whom it was wrought out. In both elements it is necessarily presupposed by God as the judicial ground of all his gracious dealings with the human race, and with each individual thereof. As satisfaction it removes the sentence pronounced against the sinner which would otherwise necessitate the expression of wrath, and prevent the exercise of grace. As merit it deserves the communication of initial grace to each designated beneficiary, which is effected in baptism, whereby the soul is cleansed from sin and habits of grace are infused; and, further, it deserves the co-operation of additional grace with the obedient will rightly using prevenient grace; and it is the ultimate and absolute meritorious basis upon which the good works of believers secondarily merit increase of grace and ultimately eternal life. Aquinas himself affirms that the satisfaction and merit of Christ necessarily antecede and constitute the foundation of any merit subsequently acquired by the believer. Hence that which is ultimately founded upon grace is all of grace, and *si gratia consideratur secundum rationem gratuiti doni, omne meritum repugnat gratia* (Qu. 113, Art. 5); and hence absolutely forgiveness of sins precedes and conditions infusion of grace. And yet, with palpable inconsistency, Thomas, and after him the whole Romish Church, actually reverse this fundamental order when they proceed to elucidate the actual realization of redemption by the individual believer (Qu. 113, Arts. 2-8): "Therefore the remission of sins cannot be rationally believed unless there be present (first) infusion of grace." "In justification (in the Romish sense) therefore four points are involved: (a) The infusion of grace; (b) The movement of the free will toward God through the awakening of faith; (c) The movement

of the free will against sin ; (*d*) *The remission of guilt as the completion of justification.*" (Ritschl., "Hist. Ch. Doc. of Reconciliation," p. 79.)

3. In the actual realization of justification by the individual, according to the Romish scheme, a distinction must be carefully observed between (*a*) that which in the case of an adult sinner prepares for it, (*b*) the realization of justification in the first instance, and (*c*) its subsequent progressive realization in the advance of the gracious soul toward perfection ; (*d*) that which is necessary for the restoration to grace of the baptized Christian after backsliding into sin.

(1) The preparation of the adult sinner for justification proceeds from the prevenient grace of God, without any merit on the part of the subject. This grace conceiving faith through hearing, brings him (*a*) to know himself to be a sinner and to apprehend the divine justice, and (*b*) to consider the mercy of God, and to trust that God will be merciful to him for Christ's sake ; and hence (*c*) disposes him to co-operate with that grace which inclines him to love God, and moves him to that detestation of sin and penitence which must be experienced before baptism, and finally (*d*) leads him to determine to receive baptism and to lead a new life. (Conc. Trent., Sess. 6, chaps. 5 and 6.)

(2) The justification of the sinner according to the Romish system, as above shown, is the infusion of gracious habits, the pollution of sin having been washed away by the power of God, on account of the merits of Christ, through the instrumentality of baptism, which operates its effects by an effective energy made inherent in it by the institution of God. After this, inherent sin being removed, remission of guilt follows necessarily as its immediate effect. Guilt is the relation which sin sustains to the justice of God. The thing being removed, the relation ceases *ipso facto*. (Bellarmin, "De Amissione gratia et statu peccati.")

(3) Having been thus justified and made a friend of God, he advances from virtue to virtue, and is renewed from day to day, through the observance of the commandments of God and of the church, faith co-operating with good works, which truly merit and receive as a just reward increase of grace, and

more and more perfect justification. His *first* justification was for Christ's sake, without any co-operation of his own merit, but by consent of his own will. His continued and increasing justification is for Christ's sake, through and in proportion to his own merit, which deserves increase of grace and acceptance in proportion (*a*) to his personal holiness and (*b*) to his obedience to ecclesiastical rules. (Conc. Trent., Sess. 6, chap. 10, and can. 32.)

(4) In the case of those who, having been justified, have sinned, the grace lost is restored, for the merits of Christ, through the sacrament of penance, which is provided as a second plank to rescue those who by sin have shipwrecked grace. The penance includes (*a*) sorrow for sin; (*b*) confession of all known sins—at least the desire to do so—to a priest having jurisdiction; (*c*) sacerdotal absolution; (*d*) satisfaction by alms, fasts, prayers, etc., and finally by purgatorial fires—which all avail for the avenging and punishing of past sins, as well as for the discipline of the new life, and are meritorious satisfactions to divine justice, cancelling the *temporal* punishments involved in the guilt of the sins for which they are undergone, the *eternal* punishment whereof having been freely and at once remitted, either by the sacrament itself, or by the honest desire for it. (Conc. Trent., Sess. 6, chaps. 14 and 16, and can. 30, Sess. 14, chaps. 1-9.)

This system, involving the logical contradiction already pointed out, we acknowledge to be Christian (generically), because it builds ultimately upon the satisfaction and merits of Christ, which alone it regards as absolute.

But we unhesitatingly pronounce it at the same time to be anti-Christian—*i.e.*, a system which substitutes that which is not Christ in his place and stead, inasmuch as it, (1) After building upon, overlays out of sight the true foundation with human merits and penances, without authority, destitute of all meritorious desert. (2) Because it interposes between the soul of the repentant sinner and Christ many false mediators, as Mary, the saints, and priests. (3) Inasmuch as it teaches that divine grace operates *magically*, through sacraments, *ex opere operato*; and not, as is the fact, *ethically* through the truth revealed in the inspired Word, apprehended through spiritual illumination,

and received by faith, and loved and obeyed in the heart and life.

III. *The problem considered in the form it has assumed in the Reformation Theology.*

1. Observe the distinctive principle of the Theology of the Reformers.

(1) The movement of Luther and Calvin, and even of Zwingli, was one primarily of inward practical personal religious experience, and not of systematic theological thinking. The phrase "justification by faith," therefore, in the first instance expressed a religious conviction corresponding to a felt religious necessity of baptized Christian men, already within the church and diligently serving God, who had been brought to estimate their own religious works at their true value—as imperfect, and utterly inadequate. The holiness of God condemns as worthy of reprobation the least imperfection. The whole heart and all the works of the most earnest Christian are imperfect, and worthy of condemnation. There is consequently no ground of confidence for any sinner, no matter what be the character or stage of his religious experience, but the righteousness of Christ, imputed by God and appropriated by faith. (Ritschl, "Hist. Ch. Doc. Reconciliation," chap. iv.)

(2) In connection with this personal experience of faith appropriating the righteousness of Christ, the moral and Christian sense of the Reformers was outraged by the then prevalent abuses of papal indulgences—a corollary of the doctrine of penance, which we have shown above to be an essential element in the Mediæval and Romish doctrine of justification. The horrible immoralities inseparable from the system enabled the Reformers to estimate more adequately its essentially irreligious character. The fact that all these ecclesiastical penances are inadequate, and therefore ineffectual, led them to see more clearly that they are unauthorized, and unnecessary because anticipated by the perfect work of Christ.

Hence, from this practical ground, there was subsequently elaborated the Reformation doctrine of justification by faith, which was afterwards adjusted into its systematic relations with the scriptural teaching as to the satisfaction of Christ, Predestination, Vocation, Faith, Adoption, and Sanctification by the

great systematic divines of the seventeenth century. The two principles which give character to Protestant soteriology, and distinguish it generically from Romish soteriology on the one hand, and from that of the Socinians and Rationalists on the other, are :

(1) The clear distinction emphasized between the change of relation to the law, signalized by the word justification ; and the real subjective change of personal character, signalized by the words regeneration and sanctification. With the Protestants, justification is a forensic act of God, declaring that the law as a covenant of life is satisfied, and that the subject is no longer subject to its penalty, but entitled henceforth to the rewards conditioned upon obedience. Regeneration, on the other hand, is a subjective change in the moral character of the subject, the gracious commencement of his complete restoration to the moral image of God, effected by the Holy Spirit in progressive sanctification.

(2) The second characteristic mark of Protestant soteriology is the principle that the change of relation to the law signalized by the term justification, involving remission of penalty and restoration to favor, necessarily precedes and renders possible the real moral change of character signalized by the terms regeneration and sanctification. The continuance of judicial condemnation excludes the exercise of grace in the heart. Remission of punishment must be preceded by remission of guilt, and must itself precede the work of the Holy Spirit in the heart. Hence it must be entirely unconditioned upon any legal standing, or moral or gracious condition of the subject. We are pardoned in order that we may be good, never made good in order that we may be pardoned. We are freely made co-heirs with Christ in order that we may become willing co-workers with him, but we are never made co-workers in order that we may become co-heirs.

These principles are of the very essence of Protestant soteriology. To modify, and much more, of course, to ignore or to deny them, destroys absolutely the thing known as Protestantism, and ought to incur the forfeiture of all recognized right to wear the name.

2. The application of redemption to the individual bene-

ficiary is variously conceived of by Arminian and Calvinistic Protestants.

(1) According to Arminians, Christ satisfied divine justice in behalf of all men, the fallen race in mass, so as to place all individuals whatsoever in a salvable state, and to impetrate sufficient grace, forgiveness of sins, renewal of nature, and the adoption of sons and all the means thereto for all men, subject to the use which each man makes of the "gracious ability" thus redemptively secured for him. The order, therefore, stands thus: (a) The satisfaction and merit of Christ; (b) Sufficient grace conferred upon all for Christ's sake, and endowing each man, at least at some point of his life, with "gracious ability;" (c) The voluntary use of the gracious ability thus secured issuing in (d) regeneration, and hence (e) in faith, and hence in (f) justification and sanctification.

(2) According to Calvinists, Christ obeyed and suffered in the stead of, and in behalf of, his elect, according to the terms of a covenant engagement formed in eternity between his Father and himself. He impetrated for his people individually complete salvation and all the means thereof, to be applied to them severally at such times and under such providential and gracious conditions as were determined in the covenant.

Hence the application of redemption to each beneficiary proceeds on the presupposition of a merit and right previously impetrated by Christ and conceded by the Father. Every element of God's gracious dealings with the elect, from their birth to their glorification, is exercised toward them *in* Christ as their head, is *on account of* Christ as the one procuring it by his merit, and *through* Christ as the one efficaciously applying it. Hence the application of redemption is the designed end and effect of the impetration of it by Christ.

The parts of the application are two: (a) Union with Christ, and (b) communion in the benefits secured by his obedience and suffering.

This "union" is effected by the Holy Ghost in effectual calling. Of this "calling" the parts are two: (a) The offering of Christ to the sinner, *externally* by the Gospel, and internally by the illumination of the Holy Ghost; (b) The reception of Christ, which on our part is both passive and active. The

passive reception is that whereby a spiritual principle is ingenerated into the human will, whence issues the *active* reception, which is an act of faith with which repentance is always conjoined.

The "communion" of benefits which results from this union involves (*a*) a change of state or relation, called justification; and (*b*) a change of subjective moral character, commenced in regeneration and completed through sanctification.

Justification is by all Calvinists defined a gracious sentence pronounced by God, whereby he pardoneth the sins of the believer and receives him as righteous in his sight only for the sake of the righteousness of Christ imputed to him as a believer. ("Medulla Amesii," chap. 26, De Vocatione.)

3. Hence the apparent circle in the reasoning involved in the evangelical or Protestant soteriology, and the interest thence arising in the problem proposed in this article.

(1) Christ satisfies divine justice and merits grace and salvation for his elect by his sufferings on the cross.

(2) In consideration of this meritorious work of Christ, and in execution of the grace therein impetrated, God deals with the elect sinner from his birth in a method of forbearance and special providential discipline, and at the predetermined time he regenerates him as still a sinner for Christ's sake antecedent to faith.

(3) In consideration of the same meritorious work of Christ and the grace thereby impetrated, God graciously declares the relation of the now regenerated believer to the law to be changed, and the righteousness of Christ to be credited to him, for the sake of Christ, now apprehended by faith.

Thus it follows that the satisfaction and merit of Christ are the antecedent cause of regeneration; and yet, nevertheless, the participation of the believer in the satisfaction and merit of Christ (*i.e.*, his justification) is conditioned upon his faith, which in turn is conditioned upon his regeneration. He must have part in Christ so far forth as to be regenerated in order to have part in him so far forth as to be justified.

This question is obviously one as to order, not of time, but of cause and effect. All admit, (1) That the satisfaction and merit of Christ are the necessary precondition of regeneration

and faith as directly as of justification ; (2) That regeneration and justification are both gracious acts of God ; (3) That they take place at the same moment of time. The only question is, What is the true order of causation? Is the righteousness of Christ imputed to us that we may believe, or is it imputed to us because we believe? Is justification an *analytic* judgment, to the effect that this man, though a sinner, yet being a believer, is justified? Or is it a *synthetic* judgment, to the effect that this sinner is justified for Christ's sake (Ritschl., chap. 6, § 42). Our catechism suggests the latter by the order of its phrases. God justifies us, "only for the righteousness of Christ, imputed to us, and received by faith alone." The same seems to be included in the very act of justifying faith itself, which is the trustful recognition and embrace of Christ, who had previously "loved *me*, and given himself for *me*" (Gal. 2 : 20).

The biblical phrase, "justified by faith," applies strictly, of course, to our relations to God as these are realized in the sphere of human consciousness. Faith is at once the act whereby we apprehend Christ, and the effect of our being antecedently apprehended of him. The act of faith is the one thing we do, but it is preceded in the order of causation (*a*) by the impetration of salvation by Christ, and (*b*) by the first stages of the work of the Holy Spirit in applying it. Faith is the organ whereby we recognize Christ as meriting our salvation, and the Father as reconciled for Christ's sake ; but, of course, the salvation was merited and the Father was reconciled, and both were long since engaged with the Holy Spirit in carrying on the work of the personal application of grace, or we could not recognize them as so doing.

4. The analogy of the imputation of Adam's sin to us and of our sins to Christ must be borne in mind when reflecting on the conditions of the imputation of the righteousness of Christ to us.

However much various schools of theologians may differ as to the grounds and nature of our union with Adam, and hence as to the reason in law of our responsibility for his apostatizing act, the whole Church has always maintained that the depravity of moral nature innate in his posterity is the penal consequence

of his first sin. Beza on Rom. v. expresses the faith of the whole church when he says: "As Adam, by the commission of sin, first was made guilty of the wrath of God" (*i.e.*, righteously exposed to that wrath), "then as being guilty underwent as the punishment of his sin the corruption of soul and body, so also he transmitted to his posterity a nature *in the first place* guilty, and *next* corrupted." The imputation of the guilt (just liability to punishment) of Adam's apostatizing act to his whole race in common leads judicially to the spiritual desertion of each new-born soul in particular, and spiritual desertion involves inherent depravity as a necessary and universal consequence. In like manner the imputation of our sins in common to Christ lead to his spiritual desertion (Matt. 27 : 46), but his temporary desertion as a man by the Holy Ghost lead in his case to no tendency however remote to inherent or actual sin, because he was the God-man. By consequence, the imputation of Christ's righteousness to us is the necessary precondition of the restoration to us of the influences of the Holy Ghost, and that restoration leads by necessary consequence to our regeneration and sanctification.

The notion that the necessary precondition of the imputation to us of Christ's righteousness is our own faith, of which the necessary precondition is regeneration, is analogous to the rejected theory that the inherent personal moral corruption of each of Adam's descendants is the necessary precondition of the imputation of his guilt to them. On the contrary, if the imputation of guilt is the causal antecedent of inherent depravity, in like manner the imputation of righteousness must be the causal antecedent of regeneration and faith.

This is obviously true in the case of a person regenerated in infancy, as must be true of all who die in infancy, and of many others whose early regeneration is attested by their subsequent life. In their case the unquestionable order was as follows: The guilt of Adam was imputed at birth, and they at once lost original righteousness and became spiritually dead. Then the righteousness of Christ was imputed, and they were regenerated and in due course sanctified by the Holy Ghost. In the justification, therefore, of that majority of the elect which dies in infancy personal faith does not mediate. It

cannot, therefore, ever mediate in the justification of any of the elect as an element *absolutely* necessary to the thing itself. In the case of the adult, faith is the first and invariable exercise of the regenerate and justified soul, whereby the righteousness of Christ imputed and the justification it effects are consciously received and appropriated, and the organ through which the Holy Spirit subsequently acts upon the soul, now spiritually alive, in promoting its progressive sanctification.

Dr. Dorner ("Hist. of Protest. Theo.," vol. ii., pp. 156, 160) says, "It is evident that God must himself already have been secretly favorable and gracious to a man, and must already have pardoned him in *foro divino*, for the sake of Christ and his relation to human nature, in order to be able to bestow upon him the grace of regeneration." "In fact, viewed as an *actus Dei forensis*, there is a necessity that it should be regarded as existing prior to man's consciousness thereof—nay, prior to faith. For faith is nothing more than the commencement of such consciousness, and could not arise at all unless preceded objectively by justification before God—in other words, by a divine and gracious purpose, special with regard to the individual sinner, existing on God's part as an accomplished act of pardon, and then applying to man by the exhibition and offer of the benefits of redemption. The vocation of the individual to salvation could not result unless God had already, in preventing love, previously pardoned the sinner for Christ's sake, *i.e.*, for the sake of that fellowship of Christ with the sinner which the latter had not yet rejected. It is only when *Justificatio forensis* maintains its Reformation position at the head of the process of salvation that it has any firm or secure standing at all. If removed from this, it is gradually driven to a greater and greater distance, till at last, as in Storrs' divinity, it takes its place at the end."

5. The solution of this problem is to be found in the fact, above mentioned, that Christ by his obedience and suffering impetrated for his own people, not only the possibility of salvation, but salvation itself and all it includes, and the certainty and means of its application also. This he did in the execution of the provisions of a covenant engagement with his Father, which provides for the application of the purchased

redemption to specific persons at certain times, and under certain conditions, all which conditions are impetrated by Christ, as well as definitely determined by the covenant. The relation of a new-born elect child to Adam, and his participation in the consequences of Adam's apostasy, are the same as that of any other of his co-descendants. But his relation to the satisfaction and merits of Christ is analogous to that of a minor heir under human law to his inheritance secured to him by his father's will. As long as he is under age the will secures the inchoate rights of the heir *de jure*. It provides for his education and maintenance at the expense of the estate in preparation for his inheritance. It determines the previous instalments of his patrimony to be given him by his trustee. It predetermines the precise time and conditions of his being inducted into absolute possession. His title rests from first to last upon his father's will. He possesses certain rights and enjoys certain benefits from the first. But he has absolute rights and powers of ownership only when he reaches the period and meets the conditions prescribed for that purpose by the will. The force of this analogy is not weakened, but rather augmented by the fact that the peculiarity in the case of the elect heir of Christ's redemption is that all the conditions of full possession are themselves free gifts, equally with the possession secured by the will, and parts of the inheritance itself. Hence the satisfaction and merit of Christ are imputed to the elect man from his birth, so far as they form the basis of the gracious dealing provided for him in preparation for his full possession. When that time has come, they are imputed to him unconditionally to that end, the consequence being that the Spirit, who had previously striven with him, and finally convinced him of sin, now renews his will, and works in him to act faith, whereby he appropriates the offered righteousness of Christ, (and actually) and consciously is received into the number, and is openly recognized and treated as one entitled to all the privileges, of the children of God. To this consummating and self-prevailing act of God theologians have assigned the title "Justification" in its specific sense. It is a pronounced judgment of God, raising the subject into the realization of a new relation, yet one long purposed and prepared for. From the first, God had regarded

and treated him as an heir of Christ's righteousness. Now he regards and treats him as in actual possession, and if an adult, he by the gift of faith brings him into conscious possession. The imputation to him as an heir and the imputation to him as in actual possession do not differ so much on God's side as it differs in its effects and consequences in the actual relations and experiences of the subject.

"This gracious sentence was (1) in the mind of God, as a concept, in his purpose to justify (Gal. 3 : 8). (2) It was pronounced in Christ our Head when he rose from the dead (2 Cor. 5 : 19): 'God was in Christ, reconciling the world unto himself, not imputing their trespasses unto them.' (3) It is virtually pronounced in that first relation which arises from the generation in us of faith (Rom. 8 : 1). (4) It is expressly pronounced through the Spirit of God witnessing with our spirits our reconciliation to God." ("Medulla Amesii," chap. 27, § 9.)

"It is moreover to be observed that justification, if we take in whatever can be comprised under that name, consists of various articles or periods. And *first*, God's sentence of absolution regards (1) either all the elect in general collected into one mystical body, or (2) relates to each person in particular."

"I observe two articles of that general sentence, the *first* of which commenced immediately upon the fall, when Christ, having entered into suretyship engagements for elect sinners, obtained . . . that Satan should be condemned in the serpent, etc. The *second* article of this general justification relates to the time when God declares that full satisfaction had been made to his justice by the dying Christ (2 Cor. 5 : 19)."

"The other justification, applied to every believer in particular, has its distinct articles. The *first* is when the elect person, who is redeemed, regenerated, and united to Christ by a living faith, is declared to have now actually passed from a state of condemnation and wrath to a state of grace and favor."

"The *second* is when this sentence is intimated and insinuated to the conscience by the Holy Ghost. The *third* is when the sinner, being actively and passively justified, is admitted to familiar intercourse with God. The *fourth* is immediately after death. The *fifth* and last is on the day of judgment, when the elect shall be publicly justified." (Witsius, "Economy of the Covenants," book 3, chapter 8, §§ 57-63.)

IV. *There is an unhappily significant tendency observable among many modern preachers and writers to ignore, if not positively to deny, the absolute necessity of a gratuitous justification as an essential precondition of the very beginnings of all moral reformation.*

As in past times, many have made shipwreck of the faith by refusing to see that the only worthy end and complement

of forgiveness of sins and divine acceptance is the actual restoration of the moral image of God, so now many make a shipwreck equally disastrous on the opposite side by refusing to acknowledge that even the first and least improvement in character and life must be preceded by atonement and reconciliation. The prime need for expiation and reconciliation is retired into the shade, ignored, or denied. The cultivation of benevolent and honorable sentiments, and the diligent performance of all the actions to which such sentiments prompt, are insisted upon as the first and last duty and interest of men. It is affirmed that as God will condemn men in proportion to their want of moral excellence, so he will extend to them his favor in proportion as each one strives with all his ability, under present conditions, to be and to do the best that is for him possible, irrespective of his past record, or the constitutional moral defects of character thence entailed. Concerning this deplorable characteristic of some modern teaching and preaching we have space only to indicate the following unquestionable facts:

1. This characteristic is in marked contrast and in radical opposition to the preaching of the inspired and authoritative representatives of Christianity, as it was promulgated by the immediate disciples of its Founder. It is unquestionable that not the form only, but the entire logic and spirit and practical power of their preaching, was truly represented by their own frequent assertions that they preached, and that they preached *only*, "Christ," "the cross," "Christ crucified," and "the resurrection of Christ" after his crucifixion. Consciousness of guilt and alienation, and the glorious fact of expiation and gratuitous reconciliation already effected, were the immediate practical impressions made on all their hearers, the realization of which was the moral power on which they relied to revolutionize character and make holy living possible.

2. As shown above, this modern tendency is in no less obvious contrast and radical opposition to all the forms which Christianity has assumed in the great historical churches. Whatever the men who thus ignore the cross may call themselves, it is clear that they differ far more radically and upon questions of more instant practical importance alike from all legitimate schools of Protestants and Catholics, than Catholics and Protes-

tants differ from each other. If the schism effected at the Reformation was justified by the character of popish errors, or by the extent of the soul-destructive mischief they effected, a more urgent demand for an equally radical purgation of so-called Protestant pulpits appeals to us now.

3. It is evident that the modern rationalistic moral legalism, just as much as the ancient Jewish ceremonial legalism, and on similar principles, makes the cross of Christ of none effect by their traditions. It is evident, also, that the same influences and the same principles which lead to the diminished emphasis or to the virtual ignoring of the great doctrine of the cross, will inevitably result soon in its open and absolute denial. Thus heresy, like sin, "when it is finished, bringeth forth death."

4. The pretence that the modern tendency alluded to is prompted by a higher moral standard or by a superior sense of the essential importance of personal character than that which prompted the preaching of the apostles, and the creeds, hymns, and liturgies of all churches, is precisely the reverse of the truth. The genuine appreciation of the excellence of moral goodness is essentially inseparable from a corresponding appreciation of the abomination and ill-desert of moral evil. A deep sense of sin is in actual sinners the absolutely essential precondition of the first beginnings of moral improvement. A due sense of sin involves essentially a profound personal recognition of its pollution, its guilt, and its power. A man truly loving holiness and hating sin, himself a redeemed sinner preaching to his fellow-sinners, cannot stultify himself and mock them by telling them to be as good as they can with all their might, and God will bless them. He must either preach despair, or an adequate expiation and gracious reconciliation as the basis of all real reform. The opposite method, unhappily becoming less infrequent than hitherto, is an evident symptom of a miserably low moral standard. The age-spirit which doubts about the reality and eternity of future punishment naturally ceases to emphasize justification on the basis of vicarious expiation, and to postpone it as the consequent of regeneration, sanctification, and the life work which follows. The end is evident and inevitable. Without antecedent reconciliation men cannot be truly sanctified. So the same low sense of sin which leads to the

ignoring of justification, or to its removal from its position as the beginning and fountain of all practical grace, will necessarily lead to the denial of the soul's need of any grace, and of its obligation to any law. Legalism makes fair professions; but, beginning with the denial of innate sinfulness and moral impotency, it proceeds logically to ignore the abomination of sin and the excellence of virtue, and ends in an abyss of license which confounds all moral distinctions.

ARCHIBALD ALEXANDER HODGE.

OPENING OF THE SYNOD OF DORT.

IT is no part of the object of the present article to enter upon a history of the Synod of Dort, or engage in any discussion on the points involved in the Arminian controversy. Nothing more is aimed at than to present a picture of this famous Synod at its opening, with such a sketch of the preliminary history as may make the subject intelligible to general readers.

In April of the year 1609, the Spanish Government, baffled, after more than forty years of the most savage and desperate efforts to crush the Protestants of the Netherlands, entered into a truce with the States-General. The land had rest from the Spanish fury; but the conflict of religious opinion, which had been raging since the beginning of the century, went on with increasing violence. It was a return of the condition of things prevailing at the opening of the fifth century in Italy, when the great controversy respecting sin, grace, and the divine purposes was convulsing the churches, while the Goths were laying siege to Rome, and ravaging the peninsula from end to end.

In the Netherlands, as everywhere else, an intimate union existed between church and state. Previously, it had been the state and the Romish Church. Now it was the state and Protestant Christianity, in the form of Presbyterianism. The Reformation had been introduced into Holland mostly from the south; from Switzerland and France. The Belgic Confession was composed in the French language by a Walloon from Mons, on the French border, Guido de Braes, and the pastors of the newly-formed churches had been mostly educated at Geneva and in the Palatinate. Although Germany was so near, Lutheranism never crossed the Rhine in any force, and such

Lutheran churches as established themselves in Holland were looked upon with almost as hostile eyes as the Romish communion itself. They had been so largely involved in the Anabaptist fanaticism as to make them objects of suspicion and fear. It was the faith and order of the Swiss and French churches that were adopted by the Reformed of Holland—a Calvinistic faith, and a Presbyterian polity.

But the Calvinism of the Church of the Netherlands was by no means of the highest-toned character. On the subject of the divine decree, the Belgic Confession is far less full and explicit than some of the other Reformed symbols. The article on "Eternal Election" affirms that "*all the posterity of Adam being fallen into perdition and ruin by the sin of our first parents, God did manifest himself such as he is—that is to say, merciful and just: MERCIFUL, since he delivers and preserves from this perdition all whom he, in his eternal and unchangeable counsel, of mere goodness, hath elected in Christ Jesus our Lord, without any respect to their works; and JUST, in leaving others in the fall and perdition wherein they have involved themselves.*"

The Heidelberg Catechism, which was adopted by the Church of the Netherlands in 1573, wholly passes by the subject of the divine decree, and in regard to the atonement teaches that "*Christ bore, in body and soul, the wrath of God against the sin of the whole human race.*" The somewhat exaggerated type of Calvinism prevalent among the Dutch clergy had not been derived from these temperate statements, but from the writings and personal influence of that evil angel of the Reformation in France and Holland, Theodore De Beza—a man who bore the same relation to Calvin as the "*Predestinationists*" did to Augustine. Supralapsarian Calvinism, and an elaborate argument to prove that the civil magistrate is bound to punish heresy with death, were the gift Beza presented to the churches of the Netherlands; and it is not agreeable to remember that the translator of the latter treatise into the Dutch tongue was John Bogerman, afterwards Moderator of the Synod of Dort. Arminius is therefore to some extent justified when he asserts, that in holding a decree of election, conditioned on a previous decree to bestow preventing and co-operating grace on believers, he was not conscious of departing from the doctrine of the

confession ; and that his disagreement was not with the symbols, but only with the unauthorized construction which some divines had put upon them.

In a formal address to the States-General, he declared that "he neither had nor did meditate the introducing of any novelty, or any thing contrary to the Word of God ; but designed to adhere to the doctrine of the Christian Reformed churches all the days of his life. He had indeed, when driven to it, spoken against the peculiar opinions of some ministers, but never against the confession or the common sentiments of the churches."

Such language from a man who cannot be charged with lack of discrimination on the one hand, nor with deliberate disingenuousness on the other, can only be explained by the fact that the Sixteenth Article of the Belgic Confession, just referred to, is not only *not* Supralapsarian, but, especially when taken with the Heidelberg Catechism, the co-ordinate symbol of the Church of the Netherlands, must be regarded as studiously moderate in its statement of doctrine. It certainly comes far short of the explicitness of the corresponding articles (the Thirteenth, Sixty-seventh, and Sixty-eighth) in the Assembly's Catechism. It is even less explicit, as it is much briefer, than the Sixteenth of the Anglican Articles, the Calvinistic character of which there have not lacked plenty of champions hardy enough to deny.

The controversy, though the materials for it had been for several years collecting, did not fairly open till, in 1602, Arminius, then one of the pastors of the church in Amsterdam, was called to fill the place in the department of theology at the University of Leyden made vacant by the death of Francis Junius. The pathetic circumstances leading to the founding of that famous seat of learning are well known. Nothing in all history weaves a more thrilling fascination around the mind than the story of the siege of Leyden. The investment of the city by Valdez and his ferocious Spanish and Walloon troops on the 26th of May, 1574 ; the desperation of the attack and defence ; the failure of provisions ; the heroic persistence of the burgomaster, Van der Werf ; the assembling of the fleet from Zealand, loaded with food for the starving citizens ; the cutting

of the dykes; and the long agony when, even God's providence seeming estranged, the wind blew steadily day after day from the wrong quarter; finally, the setting in of the gale from the west, the bursting in of the North Sea, the surging forward of the fleet over submerged fields and villages, the death or flight of the beleaguering forces, the triumphant entry of Admiral Boisot and his convoy into the canals of the city, and the solemn procession to the great church, where the rescued citizens, with their deliverers, amid tears of joy poured forth their thanksgivings and hymns of praise to God—all presents an aggregate of sublimity and pathos never exceeded in the history of human devotion. As a reward for the sufferings of the heroic city, and a monument of its patriotic fidelity, it was resolved by the Prince of Orange to erect in Leyden, not a triumphal arch or lofty pillar, but a seat of learning; a university, to raise up educated citizens for the service of the republic, was the fittest monument of the valor and fortitude of Leyden. The fiction was still kept up, of loyalty to the Spanish throne; and in the charter of the institution, Philip himself was represented as bestowing this gift on his faithful people of Leyden, as a compensation for their sufferings during the war. On the 5th of February, 1575, not six months after the raising of the siege, the city of Leyden decked herself for a fantastic pageant, in which the muses and the evangelists, the arts and the sciences, Pan and Moses, came forth in appropriate masquerade, to welcome the newly-chosen professors of the infant university. It was in worthy rivalry of this wise and noble act of beneficence, that when the city of Basle had escaped becoming the scene of a bloody battle in 1815 between the French and Russians, the people flocked to their churches, like the Leydeners, and resolved to rear as a monument of their deliverance a missionary institute to send the Gospel to the miserable Cossacks of the Don, thousands of whom they had just seen pouring across the Rhine. The illustrious patriot, scholar, and divine, Francis Junius, died of the plague on the 2d of October, 1602, and Jacobus Harmensen was chosen by the trustees to succeed him in the chair of theology. He was at the time forty-two years of age, and already distinguished for theological learning and eloquence, and already more than suspected of imperfect

loyalty to the Belgic Confession. He had published his notes on the seventh chapter of the Epistle to the Romans ; and in a friendly correspondence with Junius, both of them men of kindly and pacific tempers, he had developed his dissent from the popular views on the subject of predestination. That he was not at variance with the spirit of the Belgic Confession, he then and ever after maintained ; and he professed that if the contrary were shown he was ready to resign his ministry. But the canons of the church no more permitted an ordained minister to demit his office then than they do now.

It is inevitable that in the history of every church that combines in the subscription to its articles a declaration of faith in the confession itself, and at the same time a declaration that all synods and councils may err, and are none of them, therefore, to be made the rule of faith and practice, but the Word of God only, the question should arise, to which of the two ultimate allegiance is owed. In subscribing the confession, the doctrine is at the same time subscribed, that the confession itself is not an infallible standard, and that the subscriber is to hold his conscience bound only by the authority of the Scriptures. But no sooner does he undertake, in the exercise of this expressly reserved right, to appeal from the confession to the Word, than he finds himself arraigned as an offender against the law of the church. Infallible churches have no difficulty on this point. No Romanist can pretend any warrant to appeal from the church to the Bible. The church herself is the infallible teacher. But all Protestant churches embody in their fundamental law an express renunciation of any such claim. The Belgic Confession, which Arminius had subscribed, affirms this principle with almost as much emphasis as the Westminster symbols. "We believe" (is the language of the Seventh Article) "that the holy Scriptures fully contain the will of God, and that whatsoever man ought to believe unto salvation is sufficiently taught in them ; nor ought we to compare custom, or the great multitude, or antiquity, or succession of times or persons, decrees or statutes, with the truth of God, which is above all. Therefore we reject, with all our hearts, whatever doth not agree with this infallible rule, which the apostles have taught us, saying, '*Try the spirits whether they be of God.*'" It is common

to say that any minister who has subscribed the articles of a church, and then finds himself materially at variance with them, is bound in honor to withdraw from it; which is true enough, if he could. But the church herself admits of no such method of relief. She holds her clergy in mortmain. The doctrine of the indefeasibility of allegiance, which we ourselves deny as a principle of international law, is still inflexibly maintained as an ecclesiastical principle. No man can divest himself of the office of the ministry, nor can be divested of it except by death or a sentence of degradation.

Changes in the law or practice of a church should, of course, be undertaken slowly, and only after mature consideration. The question of the demission of the ministry has been repeatedly overtured to the General Assembly, and dismissed without action; but the fact that, in the absence of any authorized measure of relief, individual presbyteries begin to adopt one for themselves, shows that the time is at hand when church legislation on this subject should be made to conform to changes of opinion and obvious moral necessities. It cannot be long before the church will generally conclude that, instead of compelling a man to remain dishonestly in her ministry, or, as the only alternative, subjecting him to an ignominious sentence of degradation, though chargeable with no moral offence, a door should be opened by which he may, without any other reproach than is involved in the fact of apparent instability or weakness of conscience, retire into the ranks of private church members. It is a serious evil that a devout and conscientious minister of the Presbyterian Church should find his mind so alienated from any of her doctrines as to forbid his any longer professing to believe them; but it is a more serious evil that, being willing under this condition of things quietly to withdraw into private life, he should be forbidden to do so, and only be thrust out with a sentence of degradation on his head.

Among the professors in the University of Leyden at the time of the nomination of Arminius was Francis Gomar, a stanch and unflinching champion of the theology of Beza. He protested at once against the election, alleging the unsoundness of the candidate, as shown by his Pelagianizing exposition of the Epistle to the Romans. It was replied that Arminius

had given satisfaction on this point ; that what difference remained after his explanations was merely that unessential diversity which may find place among the soundest interpreters ; and that Gomar had not even agreed with his unquestionably orthodox colleague, Francis Junius, on all the details of doctrine.

Gomar was a man of eminent learning in theology and in the original languages of Scripture, a keen and resolute polemic, but so hasty in temper and so rash in speech as to draw upon himself more than once the public censure of the Synod of Dort. An *Athanasius contra mundum*, he had the courage of his opinions, even when his party consisted of himself alone. When Martin of Bremen ventured to differ with him as to the "foundation of election," Gomar started up in the Synod, and, flinging his glove on the floor, hotly challenged him to a public debate. The president restored peace for the moment, and the session was closed, as usual, with prayer ; but unsoftened by the act of devotion, Gomar again sought his antagonist, and called upon him to show himself a man, if he dared defend his proposition.

In person, Gomar was not greatly unlike Arminius—the same high, rounded forehead and bald front, a frowning brow, a solid, resolute Dutch face, the lower part covered, lip and chin, with a broad and heavy beard. He never softened in his opposition to the new Pelagianism ; but at length, finding himself too isolated at Leyden, he resigned his professorship, and retired to teach elsewhere in a more humble capacity. Notwithstanding his opposition, the curators of the university insisted on their choice. Arminius was dismissed with high testimonials by the Classis of Amsterdam, and on the 11th July, 1603, delivered his inaugural address at Leyden, "on the priesthood of Christ."

For a few months a sort of armed truce existed between the two professors of theology. A little wisdom and moderation might have protracted it in the form of a permanent treaty of peace, each professor confining himself to his own proper line of instruction ; but Arminius was the standard-bearer of a party, and could not long fail to come to the front. All the while professing loyalty to the Belgic Confession, he soon

developed his dissent from the received interpretation of that symbol. It was Arminius who threw the firebrand into the university, by publicly assailing the doctrine of predestination. Gomar replied. The flames burst out, and began spreading themselves over the whole ground of the "Arminian controversy."

Unhappily, the fatal union of church and state in Holland gave the controversy, not simply the character of a religious debate, but of a politico-ecclesiastical struggle; and party lines were drawn, not so much with reference to doctrine, as to the pretensions of the Stadtholder on the one side, and the independence of the church and rights of the provinces on the other. Arminius and his friends urged a resort to purely ecclesiastical provincial synods, for the arbitration of the dispute. They finally gave their consent with reluctance to the calling of a lawful national synod under the control of the government. "We esteem that to be a lawful synod," said they, "which is called by the civil magistrate; and where all matters are examined with brotherly love and Christian prudence by men of piety and impartiality, well versed in religious affairs; where no other judge is acknowledged but the Word of God, contained in the Old and New Testaments; and we are ready to submit to a definitive sentence on this foot, in case we can be convinced in our consciences that it is conformable to the said Word of God; or if it should not so appear to us, since all synods may err, then will we be no less ready to resign our public offices, so soon as the magistrate, to whom only the power of the external part of religion belongs, shall ratify such a sentence, and require us to quit our livings; only reserving to ourselves the liberty of conscience, which no man can or ought to take from us."

While the controversy was still surging forward on the flood-tide, the hand dropped which had given it the first impulse. On the 19th October, 1609, James Arminius, worn out by labor, and perhaps by grief and anxiety, died at the early age of forty-nine. His last pathetic exclamation, "Woe is me, my mother, that thou hast borne me, a man of strife to the whole earth!" expresses the remorse which preyed on his gentle and kindly nature, that by a rash dogmatism in dealing with the mysteries

of the divine foreordination he should have raised that spirit of polemic fury which now dominated like an Ate the whole land.

It is quite needless to violate historic truth and Christian charity by assuming that the teachers of false doctrine must of necessity have been bad and dishonest men. Pelagius and Arius were both of them earnest and devout preachers of righteousness, and quite unconscious themselves of the deadly error involved in their principles. They took it for their standard of truth, as Lord Bacon observes, "to get as far away as possible from the last preceding heresy." The pendulum does not stop on the perpendicular, but swings to the corresponding opposite degree on the arc of the dial; and the human mind, recoiling from one error, seldom rests until it has passed far beyond that middle line of truth at which an infallible intellect would arrest it.

Arminius was naturally of a sweet and genial temper; a man of warm domestic affections; hospitable, generous, a lover of flowers and music, enthusiastically beloved by his friends and his children. If his own repeated and most solemn declarations can be trusted, he believed, at least, he was acting in the interests of truth, of charity, and of a rational Christian liberty. Under other circumstances his opposition to the Belgic Confession might have been a trivial or passing incident; but the Church of the Netherlands was just coming out of the great and terrible trial that had come upon them for the faith's sake. Their wounds were still fresh, their minds excited and suspicious. The truth for which their fathers, their brothers, had fallen, sword in hand, on the field, or died in tortures under the sentence of the Council of Blood, was unspeakably dear to them in its smallest particular. It had been saved at too great a sacrifice to be now surrendered at the bidding of a reckless polemic; and they rallied to the defence of the doctrine of predestination in the same determined spirit as they had manned the walls of Leyden, or rushed out on their iron skates to repel the assault on Harlaem. The portraits of Arminius represent him with high and bare forehead, the short hair drawn back from the sides and top of the head, the eyes round and bright, the features regular, the whole set off by a heavy mustache

and the pointed beard of the period ; a vivid, alert, and not unpleasing countenance.

To Arminius in the chair of theology at Leyden succeeded Simon Episcopius, who soon developed the views of his predecessor into naked Pelagianism. The year following, the Arminians laid before the States-General that declaration of their theological views and that protest against a hasty and prejudiced judgment, in their case, which led to their being thenceforward distinguished as Remonstrants. They laid down the five points on which they differed from the received interpretation of the Belgic Confession, and prayed that "a free, lawful, and synodical assembly might be held, at which their doctrines might be candidly examined and a just judgment rendered."

The States-General moved with characteristic slowness and caution. For eight years longer the discussion went on ; classes and synods urging the calling of a national council, a majority of the States consenting, and yet delaying ; men's passions becoming more and more heated, and the imperfect confederacy brought to the verge of dissolution. Prince Maurice held himself in reserve, saying he was a soldier, and not a theologian ; but from political ambition and jealousy became alienated from the Remonstrants, and in favor of a national synod for their condemnation. Out of the chaos of conflicting sentiments came out ultimately this party division : that the States in which the Remonstrants held a majority, alarmed at the attitude of the Stadtholder, and perhaps still more by the furious hostility of King James, who kept urging the States-General to take the severest measures against them, withdrew their consent to the proposed synod. The grounds of objection they alleged were that the business had not yet been sufficiently matured in the provincial synods, and that to force a national council upon them, by the vote of a majority of the States, was a violation of the principle of the confederation. The majority, encouraged by their powerful friends at home and abroad, became fixed in the determination to improve their opportunity. On the 20th November, 1617, the final vote passed the States-General for the calling of the long-delayed Synod, Dort being chosen as the place, where in 1578, at the darkest period of the Reformation in the Netherlands, the first National Dutch Synod had been

held. The 1st of November of the year following was fixed on for the time. On the adoption of this measure the deputies of Holland, Utrecht, and Overijssel, and some other members, rose up from their seats and withdrew from the chamber. In general, the friends of the state church and of the ambitious views of the Stadtholder favored the council. The friends of the independence of the church, and of the states rights of the individual provinces, opposed it; but the opposition of the latter was based not merely on the solid ground of their just fears of the usurpation of power by Prince Maurice, but, under cover of this, on their hostility to the doctrines of the Belgic Confession.

The first jubilee of the Reformation had just passed, and ushered in a century of fierce controversy, of church distraction and schism, and of a more bloody and fearful religious war than had ever yet scourged human society. The little republic, just escaped from the struggle with Spanish tyranny, was buzzing all over with the fiercest theological rage. Every petty town was an arena of debate; a dogma of the schools divided households, rent societies asunder, revolutionized municipalities, brought provinces to the verge of secession, and, stretching its influence across the waters of the Northern Sea, drew into the whirl the policy of England, as on the Continent it involved those of France and the states of Germany. It took thirty years of ravage and desolation to exhaust the fire which the rash hand of Arminius had kindled.

The Synod being resolved on, invitations were sent out by the States-General to the King of England, the Reformed churches of France, the Elector Palatine, to the various Swiss states, and to other Reformed cities and provinces, to participate by delegates in the convention. The Synod was to be national, not œcumenical, the results, so far as they involved personal rights and interests, being limited to the Netherlands alone; but the presence of foreign delegates was sought in order to give a quasi-œcumenical character to the proceedings, and an air of weight and impartiality which might be lacking to a purely national synod. Only three Remonstrants, two pastors and an elder, were invited to attend, and they with no other liberty than that of explaining the positions of their party. Like the Arians at Nice and the Macedonians at the second general

council, they were regarded from the start as self-confessed heretics; and the object of the contra-Remonstrants was simply to draw out their errors for more public exposure and condemnation. To defray the expenses of the Synod, the States-General voted, with great liberality, the sum of 100,000 guilders. The Dutch guilder is worth, at present, not much over forty cents; but the purchasing power of money in Holland in 1618 may be judged by the fact, that to provide their honored guests with lodging, food, equipage, fuel, etc., each delegate was allowed the sum of four guilders a day. The commissioners from the only crowned head represented, their great ally and friend, King James, were allowed considerably more. First and last, the Synod is said to have cost near a million of guilders.

The rules adopted by the States-General for the procedure of the Synod exhibit the devout and prudent temper in which this important measure was undertaken. A day of general fasting and prayer was proclaimed throughout the provinces, "to beseech Almighty God to bless the approaching assembly, to the end that peace may be established both in church and state, and mutual unity restored, to the honor of God." The rules then proceed, after specifying the regular and corresponding members who were to compose the assembly, as follows:

"It shall be free to all and singular, of those divines and ministers of God's holy Word, having first obtained leave of the president of the assembly, to offer their scruples or grievances, upon condition that they submit the same to the judgment of the Synod."

"The famous Five Articles shall be first treated by the Synod, as also the difficulties which have arisen from thence, to the end that it may be plainly seen how the same may be removed with the least trouble and in the most proper manner, as far as the peace of the said churches, and especially the purity of doctrine, will allow."

"In all which, if there happen any dispute about the truth of doctrines, the states commissioners shall take care that a due and strict inquiry be made into the Word of God, as the only sure and infallible rule of faith, and not into any human writings; in order to which, that so it may plainly appear that nothing else is intended but the honor of God and the peace of the church, all the deputies shall oblige themselves thereto upon their oaths."

"And whatsoever passes in this manner by a plurality of votes shall be decreed and holden for a decree of the Synod; but so, nevertheless, that those who may otherwise vote shall not upon that account be suspected or blamed, or brought unto any kind of trouble."

In accordance with the summons, the home deputies and the commissioners of the various foreign states, from Bremen on the north to Geneva on the south, began in October of the year 1618 to make their way to the city of Dordrecht. With much loss of bile, Dr. George Carlton, Bishop of Llandaff, and his three associates sailed across the German Ocean and disembarked at the Hague, where they were received with great distinction. From Basle came Dr. Wolfgang Meyer, who, in his itinerary, has left us a lively sketch of the condition of the country between that city and his place of destination. Leaving Basle on the 1st October, furnished by the senate with two hundred gold ducats for travelling expenses, the party proceeded by carriage as far as Heidelberg, where they embarked on the Neckar. They visited in the city the castle and the famous Heidelberg Tun. Floating down the Rhine, they passed in succession Worms, where was a splendid Jewish synagogue, and Mentz, where they landed for the night. By way of recommending his cellar to them, the landlord of "the White Castle" repeated the jingling proverb, "*Wartzburg am Stein, Hochheim am Mayn, Bacharach am Rhein, da wächst gewöhnlich der beste Wein.*" Then Ingelheim, where was a castle of Charlemagne; then Bingen and Bishop Hatto's Mausthurm; then Katzenellenbogen, which Meyer affirms possesses so remarkable an echo as to repeat twice perfectly its own name; then Cologne, where they landed and visited the cathedral, climbing two hundred and forty-seven steps to the top of the unfinished spire. At Dusseldorf they began to find themselves within the limits of the Spanish occupation, and to see here and there the ruins of towns destroyed during the war. They were hailed now and then by armed Spanish sentinels, and obliged to come to for examination of passports. At the long island where the Spey enters the Rhine they passed the Schenkenschantz, the fortress of the grim, freebooting patriot, Martin Schenk, who, in his retreat from his night attack on Nimguen, sunk in his armor to the bottom of the river. On the 21st they arrived at Dort, and were lodged at the hotel provided by the municipality till their private quarters were got ready. The next day a billet was sent in, to the effect that "Mynheer Cornelis Ruys, wine cooper, would lodge Dr. Wolfgang Meyer and servant." Meyer had in

his youth spent some time in England, studying at Oxford. He spoke the language readily, and naturally came into social relations with the English deputies. He kept an album, in which many of the members of the Synod entered their names, with a sentiment in Latin, Greek, or Hebrew.

Down the Rhine also voyaged John Jacob Breiting, pastor at Zurich, and Giovanni Diodati, professor of theology in the University of Geneva, both of them passionate opponents of the Remonstrants.

Walter Balcanqual, a young scholar from beyond the Tweed, but educated at Cambridge, appeared as representative of the Scottish Kirk. His national dress of kilt and short hose proved so offensive to the decorous Hollanders, that he was forced to exchange it for more clerical raiment. Balcanqual was much trusted by King James, and kept up correspondence from Dort with the English Government.

One of the prominent members of the Synod was Antony Walaeus, pastor and professor in Middleburg. He was sent, at the request of the States-General, to prepare John of Barneveld for death. The advocate said, "Why have you come? I am an old man, and may be presumed to know very well what I have to do under these circumstances. I have other things to occupy me than listening to you." But afterwards, as he drew nearer the hour of execution, he joined devoutly in worship with his chaplains. On the 13th May, a few days before the final adjournment of the Synod, he suffered death in the inner court at the Hague. Diodati observed, with a jest, that "the *canons* of Dort had shot off the advocate's head."

By the beginning of November the deputies were all assembled, except that those from the French churches were forbidden by order of the king to attend. The members actually present consisted of five professors of the Dutch universities, thirty-six pastors of the French and Walloon churches, the latter speaking the French language, twenty elders, and twenty-eight foreign deputies. Besides these, the States-General appointed eighteen lay commissioners, who sat by themselves in the Synod, with their own chairman and secretary, and supervised all the proceedings under the authority of the government.

The place of meeting was the *Doele*, or guild hall—a large

edifice, previously used for military exercises. The identical building is still standing, but unworthily employed as a place of low amusement. The first public service was held on the morning of the 13th November. The members of the Synod marched in solemn procession to the great church of St. Mary, where, in the presence of a crowded assembly, Balthazar Lydius, the senior pastor of Dort, preached a sermon from Acts 15 : 20, on the authority and value of church synods. The members then proceeded to the appointed place of meeting, and the Synod was formally opened with prayer in the Latin language by the same distinguished minister. The sentiments of this prayer are so worthy of the occasion that it will not be unsuitable to quote them in part. After the introductory topics of adoration and confession of sin, the prayer proceeded as follows :

"Thou hast confounded our language, and the conclusion of our foreign war is become almost the beginning of a civil one. The bitterness of thy bride hath been most bitter in the time of peace. Many laborers have trodden down thy vineyard ; and according to thy threatenings, O Lord, we were very near falling into that unhappy state in which one province and city had taken up arms against another. But in thy wrath thou hast remembered mercy. Thou hast inclined the hearts of the rulers of our country, and inflamed them with the zeal of thine house, so that they have earnestly sought for that which makes for the peace of Jerusalem. For this purpose is this national synod assembled, to the end that we may inquire at the mouth of the Lord concerning the differences that have arisen amongst us, and that thy law may be a light to disperse the clouds of error. But forasmuch as all depends, O Lord, upon thy blessing, we beseech thee that, according to thy promise, where two or three are gathered together in thy name thou wilt be in the midst of them, that thou wilt vouchsafe to preside over this Synod by thy Holy Spirit, which is the spirit of peace and truth. And since the Holy Scriptures must be explained by the same Spirit by which they were delivered, and can only be understood by the pure in mind, we pray thee that thou wilt first purify our minds, and afterwards enlighten them, that we may thoroughly understand and then devoutly handle thy Word. Suffer us not, O Lord, to deceive any man by thy Scriptures, nor let us ourselves be deceived ; but grant that, seeking the truth therein, we may find it, and having found it may defend it with a steady faith. Let us not aim at vainglory, thwarting one another, envying one another, but carefully preserve the unity of the spirit in the bonds of peace. Cause us always to remember that the contention which joins us to God is much better than the peace which separates us from him ; that there are two dear and twin sisters, Truth and Peace ; and that Peace will not abide with us unless we cherish her sister Truth. Grant that any who are deceived and have wandered into error may be brought back into the right way. May we remember that the confession

of our ignorance is the highest wisdom; that there may be truth in what appears incredible to men, and falsehood in the greatest probability; and that the noblest of all victories is to triumph over an abandoned error."

No one who considers the poverty of our information in regard to the proceedings of that greater assembly which met, twenty-five years later, in the Abbey Church at Westminster, and reflects upon the satisfaction it would give us to have some such record of its opening services, will object to these particulars. We know a good deal about the arrangements for the Synod of Dort, its official proceedings and the course of debate. We know who drew its canons, and a great variety of incidents illustrating its views and spirit; but of the Westminster Assembly we do not even know what hands shaped our unequalled symbols. What would we not give for a full record of even one day's discussion, such as Baillie could have left us, with characteristic descriptions of the leading debaters: of that "very active and sharp man," Dr. Burgess; of the acute Gillespie and the saintly Rutherford; of Herbert Palmer, the author, as now appears, of those "Characteristics of a Good Christian" which have been heretofore attributed to Lord Bacon; of the stout Erastians, Nye and Coleman; and the stubborn and impracticable Independent, Burroughs, whom Lightfoot, with unusual acrimony, styles "a wretch who ought to be branded to all posterity, who seeks for some devilish end to hinder so great a good of the two nations;" or of OLIVER himself, who took his seat as a member of the Assembly on the 5th January, 1644? In what archives lie hid, packed away in ponderous oaken chests, any full, original records of the Assembly, like those which, closed with eight strong padlocks, are from time to time solemnly opened and inspected by the representatives of the seven original provinces which took part in the Synod? Alas, that if any such ever existed, they have perished beyond the hope of recovery!

The little city of Dordrecht, on its island at the confluence of the Maas and Wall, was, at the beginning of the seventeenth century, a strongly fortified town of not more than fifteen thousand inhabitants; compactly built, with narrow streets and tall houses, some of them of great magnificence. On the walls, the soldiers of Prince Maurice kept faithful watch and ward against Span-

ish treachery. Woe to the unhappy delegate who, tempted by an invitation to some neighboring villa, or by the attractions of a sail to Gorkum or Gertruydenberg, failed to return before the gates were closed at evening gun-fire. Vain were all solicitations for admission. He was inexorably left to wander by the side of the moat, hearing the city clocks chime the hours, and the sentinels on the walls pass the challenge, till at sunrise bars were drawn and drawbridge lowered for the tide of traffic to flow in and out the busy city. Reassembled in the Doele on the day following the opening services, the Synod after prayer, with which each session invariably began and ended, was organized by the election of a president. From Mr. Motley, whose casual notices of the Synod of Dort are hasty and prejudiced to a degree unworthy so accomplished a writer, we may take at least a truthful portrait of that officer: "The great John Bogerman, with fierce, handsome face, beak and eye of a bird of prey, and a deluge of curly brown beard reaching down to his waist, took his seat as moderator."

For imposing presence, strength of voice, and rude, imperious force of character to sway such an assembly, no better choice could have been made; but he was often overbearing towards the members, and it is universally confessed that his treatment of the Remonstrants was in the last degree harsh and insolent. When Episcopius and his associates contumaciously refused to proceed according to the method prescribed by the Synod, Bogerman dismissed them with a long speech of reproach and insult. "You may pretend what you please," he said, "but the real motive of your obstinacy is, that you regard the Synod as a party, and presume to set yourselves on a level with it. You have been treated with all gentleness, mildness, patience, and long-suffering; all the return you have made has been nothing but base artifices, cheats, and lies. You are not worthy that the Synod should trouble itself to have any further dealings with you. You began with a lie and you end with a lie. We shall take care to inform all Christendom of your obstinacy, and you will find that the church wants no spiritual weapons for your punishment. I therefore dismiss you. In the name of the Lords Commissioners and of this Synod, begone!"

With the president were associated two vice-presidents and two scribes. The States Commissioners sat by themselves at the president's right, and had their own chairman and secretary. At the left of the moderator's chair, towards the fire, on elevated seats, sat the English deputies; next to them the other foreign delegates; then the home members. The Remonstrants had a place in the middle of the room, a little like the prisoners' dock. Each member had a desk provided with stationery and candles, for in the dark winter days and the ill-lighted room the supply of daylight was often very imperfect. The assembly was not numerous—scarce a hundred—and in the large room there was much space to spare. Into this, so long as the Synod sat with open doors, or until the middle of January, the public were permitted to enter; and such was the interest taken in the settlement of this exasperated controversy, that the vacant space was packed day after day, not only with the clergy, with students, reputable burghers, and foreign visitors, but with boys and artisans. The ladies attended in great force, and had, we are happy to know, the best places assigned them. Hostile observers were not lacking. Jesuits mixed themselves with the crowd, as spies on the proceedings of the Protestants. Some of them spread the report among the country people that the devil had come in bodily shape, and flown away with Dr. Bogerman, which brought a great crowd of rustics to Dort to learn the particulars.

It was decided that the medium of communication in the Synod should be the Latin; but whether all the members were able to express themselves or understand others in that tongue better than the bishops at the late Vatican Council, may admit of a doubt. Much bad Latin was probably spoken; and one learned Theban was found busy with his Lexicon trying to spell out a speech he was anxious to deliver.

The most distinguished and honored of the members from abroad were the English delegates, Dr. Carlton, Bishop of Llandaff; Dr. George Hall, Dean of Worcester; Drs. Davenant and Ward, and Dr. Goad, who on the withdrawal of the Dean of Worcester took his place. Hall, Davenant, and Ward were all of them afterwards raised to the episcopate. Too much importance, perhaps, has been attached by Presbyterian writers to

the presence of these Anglican divines in the Synod, as giving an episcopal sanction to the validity of ordination by presbyters. They had no authority to speak or act for the English Church. They represented only the conceit and prejudices of that burlesque British Solomon, who was a doctrinal Calvinist, while maintaining at the same time that "Presbytery and Monarchy agree no better than God and the Devil."

But it is true, also, that Bishop Carlton, Dr. George Hall, and the others, did actually represent very faithfully the dominant spirit of the Anglican Church at the period, viz., an exaggerated opinion of the value of episcopacy on the one hand, and the beginning of that sagging down into Arminianism on the other, which developed itself in such disastrous completeness before the close of the century. Bishop Carlton, and Dr. Goad after him, called Gomar sharply to account in the Synod for quoting the Seventeenth Article in the high Calvinistic sense, thus giving a pre-intimation of the tendency to put an Arminian construction upon it; and he did not hesitate to say, that all the troubles in the Netherlands were due to their want of the blessing of episcopal government. Of the Dean of Worcester (who is too often called, in his relation to the Synod, "Bishop Hall"), it is well known that he was a zealot for episcopacy. He was the chief of several disputants who managed the argument in favor of prelacy, against Stephen Marshall, Edmund Calamy, and the other divines, who wrote under the name of Smectymnus. No episcopal champion of modern times has added any thing of value to the argument for the divine right of bishops, contained in the Polemics of Bishop Hall. He maintained that "the presbyterian government has no footing either in Scripture or in the practice of the church in all ages, from Christ's time to the present." It would not seem of much consequence to quote Hall's presence in the Synod of Dort as involving a sanction of presbyterian orders, when he only *excused* them in the churches of the Netherlands, on the ground of insuperable difficulties. The Kirk of Scotland, which might easily have had bishops, he utterly rejected, as wilfully contumacious against Christ's appointment.

The English delegates to the Synod disapproved of the severe measures adopted against the Remonstrants, and refused

to take any part in the sentence of their condemnation. The abrupt withdrawal of the Dean of Worcester and his return home is believed (notwithstanding his oft-quoted saying that "the Synod of Dort was the place likest heaven of any he had ever known") to have been owing not so much to sickness, as to dissatisfaction with the spirit of the proceedings. The report which he and the other deputies made on their return is supposed not to have been too favorable. It was soon after that the famous Echo Distich on the Synod appeared in London:

"Dordrechtī synodus, nodus ; chorus integer, æger ;
Conventus, ventus ; sessio, stramen. Amen !"

Back among the crowd towards the door, wedged in among whispering women and unruly boys, sat one whom, if the Synod had known his merits and his reputation at home, and the important place the notes he was trying to take would occupy in the opinion of later times, they might have been glad to accommodate with a seat of privilege on the floor, the "ever memorable Mr. John Hales, of Eaton." He came to Dort as the chaplain and confidential correspondent of the English Minister, Sir Dudley Carleton, bringing letters of introduction from him to "Mr. Bogermannus." It would have been worth while to see the interview between these two men: the small, gentle, bright-eyed English scholar, and the big, burly moderator, with his coarse voice, and the elaborately amiable manner he was able on occasion to assume. He made profound acknowledgments to the English Minister for the honor of his letters, and promised, at Hales' request, to see that he received a full report of whatever had occurred in the Synod before his arrival; but he probably found no time to attend to the matter. When Hales called on Festus Hommius, chief scribe of the Synod, he got very little satisfaction. Without the help of a candle, in the dim back part of the room, he attempted to jot down the notes for those celebrated letters, which are still our best source for an understanding of the interior working of the Synod. His opinion of that body, and of the business it was engaged about, underwent considerable modification during the course of his attendance. On the 1st February, 1619, he wrote his last letter

but one to Sir Dudley Carleton, desiring that arrangements might be made for the payment of his bills, so that he could withdraw. "*Necque enim* (said he), *patribus, ita ut solent, negotium tractantibus, operæ pretium esse arbitror, diutius hic commorari.*" In his closing letter he excused his departure by adding that the public sessions, on which alone he was permitted to attend, were simply for show and popular effect; the real business was all managed, as at Trent, in secret committees. "*Horologii non dissimile nostrum est concilium; instrumenta quæ totam versant machinam, sub aspectum non cadant. Quæ ponderis non nihil habent, omnia in privatis agitantur conventibus; quæ publice geruntur, ad ostentationem et captandam benevolentiam, unice comparantur.*" Perhaps the complaint was unreasonable; but he thought it was not a very dignified employment for him to be staying at Dort merely to report the time of day: anybody else could do that.

Near the English delegates, but on a lower bench, sat Walter Balcanqual, deputed by King James to represent the Scottish Kirk. We can easily conceive that his Scottish Latin orthoepey was as much a matter of wonder to the Synod as his costume. On his first entrance at the Doele, the scribes, and two other members appointed for the purpose, met him at the door and conducted him to his seat. The president then welcomed him in the name of the Synod, and caused his credentials to be read; after which he took the usual synodical oath. Balcanqual then returned thanks to the Synod for their welcome, informing them how zealously the Scottish nation had always labored for the peace and welfare of the republic; and that he had now come with the desire and purpose to contribute any thing he could towards the pacification of the churches of the Netherlands. The king his master had straitly charged him at his departure, and with greater earnestness than could be imagined, to exhort the clergy of the provinces to peace. In the result, however, his hopes were a good deal disappointed. Somewhat surprising in a Scots commissioner, he was more moderate in his views, and more in sympathy with the Remonstrants, than even the English delegates. Writing to Sir Dudley Carleton as to the second contra-Remonstrant article, which set forth the doctrine of a limited atonement, he said

he would rather have his arm chopped from his shoulder than subscribe any such thing. "The North Hollanders lack words to express their horror of the propositions of the Remonstrants. That Christ died for all men, they call false and heretical, dishonoring to God and fatal to the souls of men. As for the casting out of the Remonstrants I wish I were able to say without scandal or offence what a strange proceeding it was, and how much the Synod was thought to be in the wrong. After the votes of not more than a third part of the Synod had been collected, the Remonstrants were called in and dismissed with such a sharp and thundering speech as would scarce be credited. Your honor's censure and condemnation of this sentence is just."

Among the members who were largely responsible for the violence and tyranny of the proceedings against the Remonstrants, may be mentioned, next to Bogerman himself, Festus Hommius, one of the secretaries; and Sybrandt Lubbert, Professor in the University of Franeker. The latter had perhaps lost something of his discretion and judgment by reason of age. He raged and stormed in so violent a way at the Remonstrants, that both the moderator and the chairman of the lay commissioners, Dr. Martin Gregory, were obliged to call him to order, and require him either to take seat or to speak with greater decorum. Balcanqual said that "it would be impossible to take severer vengeance upon him than by simply repeating his own intemperate expressions; no one would have endured such language from a man in his senses; but Sybrandt and Gomar were naturally mad, and nobody should blame them any more than he would a stone for falling down." Finally, his violence and garrulity lost him all hold on the respect of the Synod. When he got up to speak, the members would begin to laugh, and say, "There's old Sybrandt again on his legs."

Festus Hommius, pastor at Leyden, was equally zealous against the Remonstrants, but more discreet—a shrewd, prompt, active man, familiar with all the routine of business, much like Dr. Burgess at the Westminster Assembly. Many of the members indulged in violent language against the Remonstrants. A prominent lay commissioner remarked that "he wished they

were all where pepper grows ;" probably meaning some warm place.

A few days after the opening of the Synod, a great comet brandished its fiery tresses in the air, drawing out its train to the length of fifty-four degrees : a text for the superstitious, and long remembered as the harbinger of those furies of fire, famine, and slaughter which soon after began to desolate Central Europe.

SAMUEL M. HOPKINS.

EVIL IN THINGS GOOD.

AN English author with more good sense than poetic faculty has a chapter on "Good in Things Evil." One may wisely reflect on such good as a motive to resignation or even contentment; and where the evil is incurable, or beyond our reach, the line of thought is legitimate. When, however, we take the converse of the title and individualize the evil in things good, it is not resignation but reform, not submission but action, we contemplate. To criticise good things without a practical aim, is sometimes mischievous policy. It discourages the zealous and benevolent, and renders the selfish and indifferent easy in their culpable inactivity. But to own the real worth in good things, and at the same time to point out how it might be widened in its influence—how in fact the good might be made better, is not open to objection, but on the contrary is the principle upon which all safe progress among men has proceeded. We have no right to look for perfection in agencies framed and wrought by imperfect men in an imperfect world; we must be content if on the whole the evil is admitted, and being reduced to a minimum; and, while using to its utmost capacity the machinery of benevolence, we must be ready to consider any well-meant and not obviously irrational suggestions that look towards the increase of its strength or general efficiency.

I. Loose thinkers, especially where a vein of sentiment runs through their nature, are apt to depreciate denominations in the Christian world. "Fine thing, this, sir," said a gushing manager of a general religious movement in a suburban community; "it is breaking down denominationalism." Now, the denominations in the place seemed so broken down already,

their meetings small, their buildings mean and in debt, and their representatives changing almost with the seasons, that it seemed like slaying the slain. The gentleman probably employed denominationalism as the equivalent of sectarianism; but the two words are not synonymes. A hotel that draws its support from the families of a country town, in such a way that each family is a little worse off than it would otherwise be, the heads of the families getting good dinners there, while the household pinch and scrape to pay for them, is an injury to the families and to all the home interests they represent. To abolish the hotel, let the men dine at home, and share a good meal with the family, would be a gain, and only becomes an evil, if such a thing can be conceived of, when inspiring in each dwelling hate, jealousy, and suspicion of neighboring families. Such malignant feelings—not surely inevitable in independent and much-loved homes—are the counterpart of sectarianism in the churches. But it no more follows that a man, because he loves his denomination, shall hate the others, than that a man, because he loves his home, dislikes his neighbors. On the contrary, the sweeter, purer, and brighter a man's life is in his own home, the more satisfaction he will be apt to feel in contemplating other and like homes being formed around him. When a man's life in his section of the church implies ill-will towards other sections of it, it is not wholly sweet and pure. A trade-spirit or a corporation-spirit, or the spirit of self, mingles, as a base alloy, with the Christian spirit.

Perhaps it may be found in the end that the denominations have served a good purpose in emphasizing particular truths, which needed to be kept before men's minds. Perhaps the full-orbed revelation is too many-sided and large to be wholly seen from one point of view. Perhaps Methodists illustrated individual zeal, and a need of a definite turning from evil to the Lord; Episcopalians, the beauty of fixed order, and submission to authority; Congregationalists, independence and personal responsibility; and Baptists and Presbyterians—the whole body of Christians who are at one in general Calvinistic conviction—reverence for God's Word as the unelastic mould of Christian convictions. As for numerous smaller bodies—asteroids in the sidereal system—they have one good use in this, that, if we

may alter the figure, they act as a remorseless external conscience to their neighbors by their keen criticisms and unsparing denunciations. Even "refractory egotism" has its uses, and contented officials and self-complacent denominationalists would deserve the sharp censures that smite them, more than they do, if they received them less.

The independence and autonomy, therefore, of the denominations is not such an inherent evil as it is sometimes represented. There is one evil, however, for which a remedy can be found, to which, if fortunate enough to gain their ear, we would respectfully invite the attention of the brethren. A man holds an office in one of the denominations; he does not fill it; perhaps he brings reproach on it. Intimations more or less definite are given him that he had better vacate it. Immediately he looks around; the body that does not appreciate him must have something defective in it. He makes overtures to another body—mentions the scruples he has had, struggles, convictions forcing him, resolution at length to "cast in his lot with, etc." The clerk, secretary, bishop, moderator, district elder, or whatever he may be who receives these communications, "rather likes the tone of the man." He appreciates the points for which testimony has been borne; he represents a class. He is welcomed as a forerunner of that millennial day when all the Christian world will go and do likewise. No questions are asked of his denomination. He is received with open arms. This continent is broad; its churches are numerous; they are not always well informed as to one another's proceedings; some of them are "roomy;" all of them welcome accessions, and duly report them; some of them are needy. One result is that a man, a minister, can be a Universalist, a Presbyterian, a Methodist, a Baptist, a Congregationalist, an Episcopalian, in about as many years as there are here respectable names; can test literally and personally the discipline of almost all of them, and be in good standing on the Pacific slope at the end, perhaps in correspondence with the Roman Catholic bishop, with a view to "holy orders." This is no mere wild supposition.

Well, what can be done? Simply what sensible business men do, what sensible housekeepers do. When a candidate for a place is seriously thought of, the merchant consults his last

employers. Let the churches cultivate mutual courtesy. Let there be inter-denominational comity. It does not at all follow, because a man can tell me in strong exaggerations of his discovery that the presbytery is the only scriptural church authority, that that imputation on him in Maine, of disregarding its liquor law, is unfounded. My presbytery had better say to him, "We carry out with you a principle which we apply all round. We shall inquire how you stand with your old friends." The report need not bar his claims. It may be only an element in the decision ; but it should be an element.

In law, commerce, and medicine a man who does not stand well with his own class has commonly something doubtful about him. Class feeling is partial rather than otherwise. The rule applies to the ministry. A man who has not gained the good-will of his ministerial brethren will not long keep a "good report of them that are without." We can recall a case where a minister from another land presented himself to an American Protestant Episcopal bishop, and obtained temporary recognition. Inquiry led to the most proper withdrawal of the same. It was an easy thing for the aggrieved man to go to non-Episcopalians and suggest that he was a martyr to High-churchism, a man persecuted for his broad feeling, and catholicity, and readiness to co-operate with other Christians, and so to procure recognition and standing. Now, according to such limited observation as we have been able to make, such sympathy is usually misplaced. Under the aspect of charity and other amiable graces, it does a wrong. In what attitude, for example, does it in such a case place the bishop, who may be presumed to have discharged a painful duty, with a full sense of his responsibility, and under the eye of the public?

We repeat, then, we would have the denominations consult one another, in the spirit of mutual good-will and respect, in every case of this kind. Why, merchants and insurance companies, with all their trade rivalries, consult and exchange information for mutual protection ; and it is a salutary lesson to a knave to find that he is known to the entire fraternity, a member of which he has managed to cheat with impunity. It suggests to him impressively that honesty is the best policy. Why should not the children of light be as wise? It compro-

mises no one. I do not, as they say in the language of the great courts, "homologate the claims" of the Right Reverend Bishop Somebody, when the Rev. Erastus Rightyuall, an imperceptible midge in his own denomination, proposes to become a magnificent lion in mine, if I ask the bishop in courteous language to say in official confidence how the Rev. Erastus stands in his diocese. If the bishop, who makes no compromise of his claims by a civil reply, tells me he is a blameless man, but given to informal meetings and irregularly zealous ways, I know where he stands; as I do also if he says that he is *rectus in ecclesia*, but unfortunately at variance with his vestrymen, who are prosecuting a complaint against him. To allege that on this plan the character of men would not be safe, is idle. It is indeed to allege lack of veracity and unfitness for their place on the part of churchmen of every class—a wholesale calumny.

The gains of such a course are obvious. We specify the following: (1) Mutual good feeling would be promoted by the exercise of courtesy. Irritations would be escaped, for few things exercise a more vexatious influence than the changes we describe. If a good man is lost to another denomination, the acerbity is taken out of the transaction by the interchange of gentlemanly, not to say Christian, references on the subject; and if a bad man goes without them, how natural it is for the losing body to say, "We are well rid of him; but what a lot *they* must be to make a fuss over him as an accession!" And as long as the memory of the transaction lasts, the man is a "sore place," and the two denominations cannot touch but with pain where he is concerned.

(2) The restless, rolling stones, that gather no moss, and inflict bruises and hurts as they roll, would be checked in some degree in their movements, while the really evil-living and unfit would be able *only once* to wound Christ in the house of his friends. A. B. could not so easily disgrace the Methodists in Massachusetts, the Presbyterians in Maryland, and then vex the spirit of a brother Baptist minister, the chaplain of a prison in Ohio. Opportunity is to most men one of the strongest forms of temptation; hence the wisdom of reducing, as far as can be done consistently with other interests, the number of drinking-places, of haunts of vice, and of facilities for committing wrong

with impunity. It is a good thing to "shore up" human virtue by reminding it that failure in one place is failure all over. A man should not be able to say, "If I *do* compromise myself with the Congregationalists, the Presbyterians or some others will take me to their hearts." And the scandals that vex good, encourage bad, and puzzle superficial persons would be less frequent than they are now. Ask any leading man in any denomination on the subject, and he will tell you, "The most annoying troubles we have ever had were by men *who came to us from the—*" no matter what.

II. Allusion has been made to the confusion of denominationalism and sectarianism, as if indifference to denominations were identical with catholicity. But surely it is possible for a man to have an intelligent, conscientious preference for his denomination, without being a bigot or lacking in catholicity. Indeed, it is usually the unintelligent adherent who is the bigot. He stands by "his flag" for reasons of which his intelligent comrades would be ashamed. The intelligent man who has examined, while he does not accept, the reasons for other and differing systems, yet knows that there *are* reasons, and he does not deem persons who adhere to these systems either fools or dishonest knaves. He is intelligently tolerant. He allows for diversity of temperament, for varying mental constitutions, for circumstances, for side-influences, for the effect of diverse angles of observation. There is hardly a more hopeless class, religiously, in the community than the unattached, roving Bedouins, who, without the loyal principle of the older Rechabites, yet, like them, "neither build houses, sow corn-fields, nor plant vineyards;" who say truly that all denominations are alike to them, for they are alike useless to all. In some instances, where they are fussy, or wealthy, or vain, they become "honorary members of all denominations." "Yes," said a reflecting lady of one such, "yes, Mr. C. is an excellent man. When there is a chair to be taken or a resolution to be moved, or a popular nice thing to be paraded, he is always foremost; but when any thing is actually to be done, Mr. C. isn't there."

If a human being is not actually religious, the best predisposing internal force of the human kind is the attachment to a body of Christians. "My father and mother were good Metho-

dists." "I was brought up a Presbyterian, and learnt the Shorter Catechism." "I am not what I ought to be, but I was used to go to church, and I can repeat prayers out of the Prayer-book." We say advisedly, and after observation on both sides of the Atlantic, that it is a gain to have persons thus bound in association and in memory to a denomination. The vague sense of strangeness, the timid wonder as to religious ways and observances, which deter so many from making beginnings, do not stand in their way in approaching good influences. For their sakes, therefore, if for no other, we would keep up the denominational feeling. But this is only a part of the argument. The church, the congregation, elevate and sanctify social feeling. It is true the church catholic must be loved; but it is far harder to love an abstraction than to love the people with whom one sings and prays and labors. Even so it is easier for the man who has a happy, healthy home and pleasant connections, to love his fellow-men as a whole, than for a man equally good in himself, but destitute of these advantages. In well-ordered services, also, regular consecutive instruction is given with better results than where men snatch casual desultory morsels of spiritual nutriment as they "go around" the churches. "A man without a country" has been eloquently portrayed by Mr. Everett Hale. Who will give us a corresponding picture of the man without a church?

We do not dwell on the fact that it is those who feel denominational attachment and responsibility that sustain the great agencies which systematically teach and elevate men. It is of no use to point, in rebuttal, to non-denominational societies that do a world of good. Examine their constituency, and you will find the best and most reliable contributors are the regular supporters of their respective churches, who make conscience of their obligations there, as truly as they do of their taxes, or of the secular education of their children.

In view of all these considerations—and others might be named—we would have the blessed grace of catholicity cultivated, without any reflection, implicit or explicit, on a right and healthy attachment to one's own state and city in the great kingdom of which Emmanuel is the anointed king.

III. No one who has definite knowledge of the "former

times" can undervalue the great results effected by the disinterested efforts of the temperance reformers. Impressed by the disheartening record of the crimes of the drunken in our day, we are apt to forget that it is the very sentiment created in behalf of sobriety and self-control by the reformers, that makes us shudder. We do not realize the evils of the time when ministers of the Gospel did not forfeit their position by public drunkenness; when parishes were filled with vice and rottenness, through the intoxicants made and consumed; when abstinence was the exception and drinking—often enough immoderate—was the rule. We may well be thankful for what has been accomplished, while we do not slacken our exertions in the future.

But is it not possible to eradicate some evil from this good—evil not inherent in it, we hope and believe, but mischievously clinging to it? Are there no regions and circles in which taking the pledge is spoken of as "regeneration" and "salvation"? Is there not a tendency to substitute the gospel of reform in this particular for the Gospel of Jesus Christ? Is there not now and then a perilous self-complacency in the men who "rescue the perishing," and are rescued, though confessedly they have not come to the cross of Jesus Christ? Is there not an evil-judging criticism too often indulged regarding churches and Christians who, for any reason, do the work of social amelioration in other ways than the abstinence society's, and on other plans than the sectional? No language can be too strong in the condemnation of intemperance and all that leads to it; but humane and benevolent men and women ought to be as just, tolerant, and patient with Christian people who use their judgment as to the best ways of combating vice, as, for example, sensible Democrats are with Republicans, or Republicans with Democrats, as to the best ways of repressing crime or regulating the currency. It is an undeniable fact, known to every man who mingles with men and not with cliques, and who reads serials and books, that there are good and strong men who keep out of the abstinence lines from no indifference to the cause, and from no Cain's-temper as to their brethren, but because they cannot manœuvre and fight the battle as the most of the temperance army fight it; and they do not know

when they might be fired upon from their own lines. This is a grave evil—bad for the cause, bad for the country, bad even for the men who are thus kept aloof; for a man is never more likely to be a severe critic than when his judgment keeps him from going where conscience and feeling would draw him.

IV. The Ritualist battle, long raging in England, is being transferred to our shores. It cannot indeed assume the proportions in America to which it has risen in England, because the section of the people directly affected by it is relatively small. But it is sufficiently important socially to create some interest in the general community. Ritualism is of two kinds. There is a harmless Ritualism, which copies mediæval, historic, and, to it, venerable church usages. It is, indeed, occasionally puerile, fantastic, and even ridiculous. But it is not learned; it is not animated by any inspiring aim. It is fluent on things sacred and symbolical; but it does not cease to be Protestant. There is another kind of Ritualism which has a principle in it, intelligible enough to its devotees. Its clergy are priests of the *sacerdos* or *hiereus* kind. Its communion-table is an altar. Its communion wafer is "the host." Its holy sacrament is a representation of the offering of the body and blood of our Lord. Its dominant idea is Romish—without the pope. This is a dangerous type of religious effort. But the public does not always discriminate, and especially the public of "lay people" of the Episcopal branch; for this reason, that they have not been accustomed to the preaching of doctrines, and rather pride themselves on not going to church to hear preaching, but to pray. The two classes—the subtle and anti-Protestant, and the innocuous—are apt to be confused in the general mind; and it may happen here, as in England, that a man will be set down and even denounced as a Ritualist who is simply in favor of decency and order in God's house, and of that cleanliness which is next to godliness, according to Mr. Wesley.

Now opposition to Ritualism is good, but it must, of course, be graduated by its quality—for there is a difference between the weakness that is a "little odd about dress," and the deceit that puts on a disguise for sinister purposes. Due care must be taken that slovenliness and meanness do not remain in

church edifices and church services. We can have Protestant worship in buildings that represent the best taste of the people, with fittings for God's house not conspicuously behind the fittings of the worshippers in their homes, and with a decorum and propriety such as mark off any other grave and solemn portion of our lives. A protest against Ritualism should never take the form of organized or tolerated offensiveness to taste, or to the feeling of reverence for all that is associated with the worship of the Holy One. Our church walls are not consecrated by any formal rite; but they are consecrated by every hallowed association, and they may be desecrated by being turned to theatrical uses. Our platforms or pulpits have no inherent sacredness in the pine or walnut; but they have acquired, or ought to have acquired, a sacredness in the thoughts and associations of those who have, in front of them, heard the voice of the Lord. And not in virtue of any church rite, but in virtue of the very laws of association made by God with the human spirit, we hinder instead of helping God's cause and people when the antics of the comedian connect themselves with the place, and when the sacred shrines towards which, according to a well-known hymn, worshippers move, to seal their vows and proclaim themselves the Lord's, are turned into places of rollicking, even though innocent, amusement. It is hard enough, alas! for men to keep store, and ledger, and bargains, and profits and losses, from their brain on the Lord's Day in his house. Why add to their difficulties by filling the holy place with memories and recollections suggestive of any thing else than worship and the Word of the Lord?

And akin to this subject is another, of little relative moment, but yet not wholly insignificant. It does not follow, because a preacher is not a priest, that he is nothing but a paid "speaker," or leader, or lecturer. He is an ambassador of Christ, a minister of the Gospel, a commissioned officer in the Lord's sacramental host, called of God before he was called by the people of his particular charge; and whatever in dress or address will keep this in his own mind and in the mind of his people and the community, is not quite despicable. In the recoil from dead officialism in some parts of the country, it has been accepted as the proper thing for a clergyman to avoid, in

some degree, any distinctive professional characteristics. This, however, may, like all reactions, be carried to the point where some evil begins; and it is just where this policy has ruled, and where sacred things are habitually divested of all sacred concomitants, that we should look for another and opposite reaction in favor of a florid or stately service.

From the side of lay effort, and the current processes of evangelistic work, there is some danger to the ministerial office in another way; but that topic is not quite within the scope of this article, and it may be safely assumed that the ministry which does not vindicate its own claim to respect and confidence as a permanent teaching power will be lowered, because it invites and deserves the humiliation. The individual minister, however, cannot sink below his proper level without dragging down some precious interests which he is pledged to conserve.

V. There is no part of the machinery of the Papacy against which the Protestant feeling is stronger than the confessional. Apart from the theological aspect of the institution, it has a social side, as presented in Michelet's "Priests, Women, and Families," against which the Anglo-Saxon mind is resolutely fixed. But the evidence is ample and at hand, that this determination has not always been intelligent; that subtle and skilful argument is able to produce a revulsion; that Englishmen and Englishwomen have said, "Why, this matter of the confessional has been misrepresented to us; it has been cruelly calumniated; a most blessed means of grace has been falsely stigmatized as an unclean instrument of lust and power." The best friend to a dogma or a rite, next to its intelligent advocate, is its unintelligent and indiscriminating assailant. The upsetting of his overcharged statements is held by the average inquirer to be the positive establishment of the rite or the dogma. So it has fared with the confessional in England.

But there are real objections to it, and of the gravest kind. It assumes that the priest is, *as a priest*, delegated in God's stead to hear the penitent acknowledgment of guilt, to determine the form and amount of atonement the sinner shall make, and to declare and pronounce the transgressor absolved, in such sense that the evil-doer, having completed his prescribed pen-

ance, may confidently say, "This sin is remitted, and so far I am free of all charge in the court of heaven." The real question at issue is not the early existence of voluntary confession of sin to a minister of Christ. We can safely admit that the public and personal confession of sin was in early use in the Christian Church. We can safely admit that Protestant churches at the Reformation left this untouched, and said not one word against it. We refer now to the creeds, and authoritative expositions of their beliefs, and not to the indignant protests of individuals irritated and provoked by the use made of the institution by men who could command the obedience of semi-civilized chieftains with threats; who could say, "We have your God in our hand, and your wives at our feet." The real question is as to the enforcement of auricular confession as an imperative sacramental obligation, to disregard which involves the penalty of absolute sin. The real charge is that the Council of Trent (14th Session, A.D. 1551) lays down "that the universal church has always understood that the entire confession of sin was instituted by our Lord, and is of divine right necessary to all who are baptized." The charge is that it is based on the plea that even contrition, perfected by charity, does not reconcile a man to God, but as this sacrament of confession to a priest alone is also contemplated. In consequence of this teaching in the Church of Rome, confession to God is secondary to confession to a priest, and the former is on the same level with confession to St. Peter and to the angels. Its practical tendency is to make auricular confession the only way of obtaining divine favor, and to give a secondary place to amendment of life; for it abolishes the remorse and uneasiness which sin should produce, and which tend to watchfulness; and it constitutes the man, being a priest, the judge of degrees of good and evil, thus opening up unfathomable abysses of casuistry, and lying in the name of the Lord and of eminent divines, as in the pliable doctrine of "probabilities," of which every reader of Blaise Pascal knows.

These things we mention that we may not seem to treat lightly the unscriptural claim involved in auricular confession, nor the host of evils that follow in its train. We say unscriptural. We need hardly remind our readers that, put what mean-

ing one will on the words of our Lord to the twelve, as to remitting and retaining sins, as to binding and loosing (Matt. 16 : 16 and 18 : 18), there is no more evidence that they handed down the power than that they transmitted the miracle-working energy with which they were endowed. But, in fact, their power was declarative simply, and not executive ; and they were in form and in truth the successors of the Old Testament prophets, rather than of the Old Testament priests, and their commission ran much as did that of Jeremiah (1 : 10) : " See, I have this day set thee over the nations and over the kingdoms, to root out and to pull down, and to destroy and to throw down, to build and to plant." The assumption on the part of this gentle and sensitive prophet to execute in person these great and far-reaching purposes of Jehovah—which he was ordered to declare, with their terms and conditions—would have been as reasonable and as warrantable as the claim, even for Peter and John, that they could remit and retain, bind and loose, in any executive capacity ; to say nothing of the innumerable multitude of men, good, bad, and indifferent, claiming to act in their name. Dislike of the confessional is, therefore, a good and wholesome thing, which, however, should not rest on prejudice, but on distinct and intelligent conviction. But it would be an evil, if that general and genuine pastoral confidence which Scripture warrants, which multitudes of persons have tried and proved, should be thrown in and condemned with auricular confessions. A minister preaches the Gospel to the great congregation, offering, in Christ's name, full and free forgiveness to all who come to God by Christ. A wretched, hardened soul hears the general message, but says, " Ah, yes ! that is for common sinners ; but I am no common sinner. My heart knows its own bitterness. It is too much to think that *I* could share in an amnesty so amazing." After long brooding, perhaps, and unutterable struggles, the heartbroken man says, " I will go and ask him if he really means that his Bible includes such as I am—if his God really is willing to receive ' even me.' I will open my heart to him." And he goes ; is welcomed, pitied, instructed ; he tells his sorrowful history ; he says, " Is there in that Bible any promise wide enough to cover a case like mine ?" He is pointed to the Word, bidden to read and study it for himself, told its

meaning, taught how to pray; asked, perhaps, to kneel down while the pastor puts into articulate speech before God the penitent's cry; and all this is done in tender, sacred pity and sympathy—the sympathy of a man who knows his own corruption and can feel for another, while he points him to the pity and merits of the Redeemer. The crushed spirit is helped. The very confidence of a good man is a relief. To have uttered in words his feeling of remorse and shame has broken the ice and done him good. He thinks, if a good and holy man can listen and pity, it may be that the infinite mercy of God will avail for him in Christ; and so the manifested tenderness of the servant becomes a ladder up which the poor, alienated, paralyzed human soul can climb to the conception of the grace of the Master that brings salvation even to the chief of sinners. All this we must not confound with auricular confession. For all this the Scriptures, and the Protestant churches after them, have made provision, and assuming ministers to be what the Scriptures require, they need not fear the responsibility, nor society the results.

On this same subject, it may not be amiss to say that in many instances admission to the church, and consequent enjoyment of her full fellowship, are not sought by individuals who are true, sincere, and believing, under the apprehension of inevitable formal interviews with bodies of men in "Sessions," or in churches. Many a light and self-confident spirit will deem such self-revelation as this implies an easy matter—perhaps even enjoy it; when deeper, truer, more honest natures will shrink from it—under misapprehensions and errors, if you will—yet being just such natures as it is desirable to bring into communion, and such natures as would be comforted, strengthened, and matured in the warmth of full and true church life. We should regard with nothing but satisfaction the acceptance of the commendation of the minister, after personal and deliberate conference with catechumens, as the basis of sessional or of church action. Cases, indeed, may arise where that is known to elders or to members of churches which renders the profession reported by a pastor incredible; but we do not make rules for exceptions, but for average mankind. The requirement for admission to the Lord's table of credibly professed faith in Jesus and resolve to serve and follow him, the church can never modify;

but surely she has no cast-iron law, and no direction from her Head as to the degree of form, ceremony, voting and public covenanting with which the fact of this profession is to be ascertained.

VI. And, finally, the widely diffused and well-established love of liberty is a good thing; but care must be taken that evil does not mingle therewith. We are all free. We are all anti-slavery. What was once eloquently said of Britain is true of us from sea to sea, namely, from the Atlantic to the Pacific, and from the mouth of the Mississippi to Alaska's northern bound. No eulogium on freedom can be uttered on the 4th July, or at any one of our hundred college commencements, male or female, that we hesitate to indorse even beforehand.

But there are uses of that freedom which have to be watched that they become not abuses. Because we are free, and even equal, it does not follow that I shall be at liberty, on finding Senator X. or Chief-Justice Y. in my railway car, to slap him on the back with, "Hello, old fellow! I heard you at Washington—delighted to see you; my name's Smith, from Greene County, Michigan." We are free, and even equal; but it does not follow that any one or any party can have all the liberty. Others have rights also. Liberty is regulated, or it ceases to be liberty. It implies and requires law. Law, to be effective, is to be respected and upheld. To carry individual rights up to a certain point may interfere with the obligations of the family, and the family cannot be injuriously touched without injuring society. "I sold my farm for what I could get," writes the late Rev. Joseph Barker of the time when he was a pronounced infidel leader in Ohio, "and bought another some seventy miles away, near Salem, Columbiana County, a region occupied chiefly by what in America were called '*Comc-outers*'—people who had left the churches and the ministry, and even separated themselves from civil organizations, resolved to be subject to no authority but their own wills or their own whims. Among people so free as those, I thought I should have liberty plenty; but I soon found that they were so fond of freedom that they wanted my share as well as their own. I got into trouble once more, and then I saw that the greatest brawlers about liberty, when they come to be tried, are often

the most arrant despots and tyrants on the face of the earth." ("Modern Skepticism; a Life Story," p. 311.) We must not read anti-slavery as the equivalent of anti-authority. Parents have rights that children have not. Adults have rights not shared by minors. Magistrates have rights to which the people owe deference. Rulers in the church have rights which the members can only disregard by breaking with the apostles. God has rights which men ignore at their peril. Liberty is a great word; but so is duty. And while we assert our freedom and stand up for our rights, we must not forget, or allow others to forget, how much of life's happiness, sweetness, and usefulness is secured by bending to our duties, and being like Him who came not to be ministered unto, but to minister, and to give His life a ransom for many.

JOHN HALL.

THE BIBLE AND THE PUBLIC SCHOOL.

THE Scriptures of the Old and New Testaments now exist only in the form of copies or translations, the original manuscripts having long since disappeared from the world. Even the languages in which they were written are now intelligible only to scholars. The Scriptures of popular use must hence be translations; and inasmuch as the great body of the American people speak and read only in the English language, their Bible must be an English translation. In no other form would it be generally available for use in the pulpit, in the family, in the Sabbath-school, or elsewhere.

The two translations most used in this country, and which practically constitute the Bible of the American people, are the English version, sometimes designated as King James's Bible, and the Douay version. The former is the Bible of Protestants, and the latter the Bible of English-speaking Catholics. It is a matter of no consequence, for the purposes of this article, which of these versions is truest to the original Scriptures. The Protestant assigns this character to King James's Bible. The Catholic makes the same claim in regard to the Douay version. Neither uses the Bible of the other; and each has an unquestionable right to his own view. No scholar pretends that either version is absolutely faultless, or that either, as such, is inspired. Inspiration belongs only to the original writers of the Scriptures. These men spake and wrote as they were moved by the Holy Ghost. The copyists and translators of these Scriptures had no other inspiration than that of learning and honest hearts.

There are many subjects, by no means uninteresting or un-

important, upon which the Bible gives either no information at all, or but the merest fragment thereof. It is very far from being a cyclopædia of universal knowledge. No one surely would consult the Bible in settling a question of constitutional law or one of procedure before a court of justice, or in determining the character and cure of diseases, or in solving a problem of political economy. The Bible is not a compass to direct the mariner upon the ocean, or a telescope to aid the eye in counting the stars. It has no programme of the various arts, useful and ornamental, by which human wants are supplied and human tastes gratified. There is, indeed, an immense field of simply natural knowledge placed within the reach of observation and reason, in respect to which the Bible does not undertake to be either a teacher or an authority. The endowments of human nature are here left to themselves. Mere experience and science are the fruits of living and thinking, and not of inspiration. God does not by the latter help men to knowledge which they can sufficiently gain by the proper use of their own powers.

When, however, we rise to the higher realm of thought, and ask whence we came and whither we are going; what life means; what are its relations, if any, to an after state; what God is, and what is his character; what he requires of us as the subjects of his moral government; how he proposes to deal with us as sinners; how we are to be forgiven and stand justified in God's sight—in a word, when we seek for *religious* truth as the foundation on which to rest our faith, erect our hopes, and die in peace, then the Bible comes to us as the Book of books, with answers to the deepest and most universal questions of the soul, and with directions and promises to pilot that soul across the sea of life and assure its safety and good in the spirit-land. Here it is the imperial volume. Here it has no equal. The peasant and the sage here alike need its light. We do well to give prominence in our thoughts to the fact that religion—considered as a body of truths revealed and apprehended, as a body of resulting experiences felt, and, in both aspects, as a preparatory preliminary to a larger and grander scene beyond the boundaries of time, as the garb and covering of the soul for its habitation in the skies—is the sun and the centre of the Bible

system. It thinks not of what men are here, except in connection with what they are to be hereafter; and it thinks of the *what* here chiefly on account of another *what* there. All other ideas, in the comparison, are inferior, subordinate, and but secondary. Every thing in the Bible—its history, its miracle, its prophecy, its Christ, its atonement, its pardon, its salvation, its promise, its heaven, and its hell—converges at this one point. Every ray of light, in the practical effect sought, terminates here.

An indispensable condition of the end proposed is that the Bible should be accepted upon the authority of its source. It will not do to regard it simply as true, yet human in the guaranty of its truth. The divine warrant which attaches to its sayings gives them a character which they could not otherwise possess. Strip the Bible of the authority which it assumes for itself and with which Christian faith clothes it; adopt any theory of inspiration which implies that God did *not* in time past speak unto the fathers by the prophets, and that he hath *not* in these last days spoken unto us by his Son; put the Bible into the category of merely good books, differing from the others only in being better; regard it as a philosophy, a morality, or even a spiritual *régime*, having its source in the best thoughts of the wisest and best men of earth, without any sanction other than that which good thinking can supply—and the Book in human estimate at once loses its supernatural character, and ceases to be what it claims to be. God is not in it. It is not vouched for by his authority. Its precepts are not his commands, and its promises are not his pledges. Its doctrines are not divine, and its morality is not divine. Its words are not *the* Word of God. The central mind of the universe is not committed to it, and not in personal communion with man through it. It says nothing upon divine authority. The words may be the same simply as words; yet the fundamental condition of their power to rule the conscience, to move the affections, and govern the life, is gone. It is not without reason in the nature and necessity of things that the Bible makes its first challenge upon our faith. It enters no heart with its power until it has entered the head through this exercise.

The Bible system is, moreover, a unit in the sense that we cannot dissever its *morality* from its *spirituality*, and effectively teach either without involving the other. We cannot separate the doctrines from the precepts, or the duties which men owe to God from those which they owe to each other, and treat them as unrelated parts, without violating the order of the system. The charming sayings of the Sermon on the Mount must have behind them the Christ from whose lips they fell; and this Christ must be to thought the Son of God and the Saviour of the world. The second table of the law, summarized by him into the general law of love, rests upon the God whose mind and will it expresses, and obedience to that law is obedience to God. The precepts given by prophets and apostles with reference to the duties of time, considered as authoritative, stand or fall with the doctrine of their inspiration.

Those who suppose that the morality of the Scriptures can be taught separately from and independently of their doctrines, disjoin what God has put together. Bible morality is founded upon the revealed will of God, and is set forth in the form of commands, and not simply that of ideas. "Thus saith the Lord," is its basis and sanction. Any attempt to teach it in any other character misrepresents the very thing professed to be taught. There can be no more artful scheme for destroying its force than to divorce it from the doctrines which are allied to it, and enter into the very warp and woof of its texture. The source of Bible morality constitutes a vital part of its power. The morals of the Bible are as divine as its doctrines, and in the doctrines find their principal reason. Both are connected as parts of one and the same system. It is God who says, "Thou shalt love thy neighbor as thyself;" and this same God also says, "Thou shalt love the Lord thy God." The religion of the Bible is not a thing of parts in the sense that we can take away its love of God and retain its love of man, or take away the latter and retain the former; or in the sense that we can reject the doctrines and yet preserve the morality; or in the sense that we can pass by the special features of Christianity as of no consequence, and frame a religious character on the general basis of merely a natural theism.

Bible religion refuses to submit to any such dislocations or dis-integrations. •

These statements will suffice for one of the terms placed at the head of this article. The other term is the Public School. And what is this school? We answer this question in two remarks.

The first is, that the public school is a *state* institution, being organized, supported, and governed by the state for the purpose of gratuitously affording to the children of a suitable age the facilities for what is termed a *common* education—such as all persons need, no matter what may be their sphere of life. It is a state school for this purpose, existing under law and regulated by law. The municipalities—the cities, villages, and school districts within whose bounds it exists and by whose direct agency it is managed—are themselves the corporate creatures of the state, and exercise the powers they possess by its authority. They are only modes or channels through which the state, as a body politic, exercises its own sovereign power. School trustees, school boards, and school teachers are all appointed and empowered under state authority, and are in fact state officers for this purpose, as really as are the members of the judiciary state officers for the administration of justice. The property invested in school structures is public property, and hence exempt from taxation; and all the salaries and other expenses are paid out of public funds. The fact that the machinery, for the sake of convenience, is directly worked by local agencies, makes it none the less the machinery of the state, since these very agencies exist by its legislative authority, and are subject to its control. The public school then, from beginning to end, and in all its processes and purposes, is purely a state institution, having its life, its breath, its being, its support, and its whole regulation, exclusively in the exercise of State power. It is important to keep this thought in mind.

The second remark is, that this school is supported by funds derived from *taxation*, or which have been granted to the state, and are held by it for this purpose. Taxation is the main source of this support; and this taxation is levied indiscriminately upon all persons who own taxable property, no matter whether they have any children or not, and without any reference to

their belief or practice on the subject of religion. This makes the school a public charge, and in this respect places it in the same category with courts of justice, or any other machinery by which the state conducts its civil and political operations.

The theory upon which the state proceeds in thus using the taxing power, and thereby compelling one man to help pay the expenses of educating another man's children, is not that the state holds the *parental* relation towards all the children within its jurisdiction, but that a certain amount of education, widely diffused, is deemed to be a state necessity, especially in a country ruled by the popular will, and that this education will be best secured by the system of state schools. General ignorance, with its kindred habits and vices, is not conducive to, and perhaps not consistent with, the safety and perpetuity of a republican form of government; and, in order to prevent such ignorance, and avoid its numerous evils, the state institutes an agency of its own for popular education, and exercises the taxing power for its support. Courts of justice in this country have uniformly treated taxation for this purpose as a just and legitimate exercise of the power. The purpose is a public one, in which all the people have a common interest; and, hence, taxation to secure it is just as appropriate as taxation to build a jail, or to realize any other end or object for which government exists.

We thus have before us, in a brief exposition, the two terms of the problem which it is the design of this article to consider. One of these terms is the Bible, considered as a *religious* book, containing doctrines and precepts, assuming to have its origin in the special inspiration of God, and hence teaching and commanding by his authority. The other term is the Public School as a *state* institution, existing under the authority and regulation of civil law, and supported by compulsory taxation. No Christian will dispute this statement as to the Bible, and no one dispute it as to the public school.

It is apparent at a glance that whatever we may do with the Bible, which is not a product of the state, the public school, if it exists at all, must keep company with the state, and derive its character therefrom. Nothing can go into it which the state chooses to keep out, and nothing stay out which it chooses to have there. The whole question as to what the school shall be,

as to what shall be taught therein, and as to what agencies shall be employed, belongs to the legislative power of the state. It ought to be so, since, if the people are indiscriminately taxed to support the school, then the authority to regulate and govern it ought to be that which imposes the tax. So far as discretion may be committed by law to school boards or school teachers, that discretion represents the state, and is exercised in virtue of power which the state bestows, and may, at its pleasure, be enlarged or curtailed. These managers of the public school are simply agents of the state, and derive all their authority from its will.

Whether, then, King James's Bible or the Douay version, if either, shall be made one of the instrumentalities in the management and conduct of this school, is a question that must be determined either by the express letter of the law, or by the agents who represent the authority of the state, and whose decision, the matter being confided to them, is equivalent to law. If either of these versions, or any other version, shall be used, then whether the use shall be simply that of a reading-book for the purpose of teaching the children to read, or that of a devotional exercise for religious purposes, and whether for one or the other or both of these objects it shall be a daily use, or be assigned to a specific day or days ; and whether the Bible in either version shall be simply read without note or comment, or be read with an explanation of its meaning and an enforcement of its ideas, and what parts of the Bible and how much shall be read ; and whether the reading shall be supplemented by the singing of religious hymns, and if so, by what hymns—must be determined in precisely the same way.

The authority of the state necessarily connects itself with every form which the solution of the question may take. If the Bible and all religious exercises be excluded, then the state makes the exclusion ; and so if the book be used and some form of religious exercises be practised, then this is by the law and the will of the state. The fact, if such be the case, that the question is left to be settled by local agencies acting under the authority of law, and holding office in virtue of law, does not change the statement or the principle involved by the breadth of a hair.

Those who desire and even insist that the state shall use the Bible in its school system have some reason for taking this position. What is that reason? We shall do them the justice to assume that the object they have in view is not merely to teach the children the art of reading, as Homer and Virgil are used in the college to teach the Greek and Latin languages, or as the spelling-book is used to teach the art of spelling. The excitement and discussion about the Bible and the public schools cannot be explained by the supposition that the question relates simply to a reading-book, used merely to teach the children to read. The Bible is by no means the best book for this purpose, and the purpose would not well comport with the sacredness of the book. It is for the sake of the *moral* and *religious* impression which it is supposed that the Bible will make upon the minds of children that the use of it is urged and demanded in the public school. This is the end sought, and this is the proper use of the Bible in the pulpit, in the family, in the Sabbath-school, and everywhere else where it is proper to use it at all. The one great function of the Bible is to teach men religion upon the authority of God. They can very easily learn how to read by using other books; but when they come to religion, then the Bible takes the precedence of all others.

And if the state, considered as a political body exercising the civil power, expressing its will through law, and enforcing that law by penalty, be a proper agency for the teaching and propagation of religion, then there can be no good objection to the employment of the Bible for this purpose in the public school. Indeed, the state, provided it regards the book as teaching the true religion, ought, upon this supposition, thus to use the Bible; and it ought to adopt all the necessary measures in the selection of qualified teachers, and in the entire arrangement of the system, to have the doctrines and precepts of the Bible, *as the state understands them*, thoroughly and effectively taught in every school which it creates and governs, and for whose support taxes the people.

More than this is true. The state, upon the supposition made, ought not to stop with the public school, but proceed to take charge of the religion of the people, determine by law what is the true religion, appoint the ministers thereof, exercise

its authority to keep out error and heresy, and tax the people to pay the expenses of conducting the work. This, of course, is the old argument for church and state, and lands us in state religion; and yet it is perfectly conclusive in respect to the public school, and everywhere else, alike in application to adults and children, if the propagation of religion be one of the proper functions of the state. We must not shrink from the consequence, if we grant the premise.

If, however, to quote the words of Dr. Ralph Wardlaw, "the province of the state in respect to matters of religion is that it has *no province at all*," then this truth is just as true in the public school, and in respect to children, as it is in the pulpit and in respect to adults. There is no difference in the two applications, so far as the principle is concerned. The state has no more concern with the religion of children than with that of adults. Its province in respect to the former is no greater than in respect to the latter.

We are thus brought to the general question which has been discussed for ages: Whether the rightful jurisdiction of the state extends to matters of religious faith and practice, so that one of its normal functions is to administer and propagate religion. By the state we mean a political society existing within a defined territory, and operating through the agency of civil government, the powers of which, whether legislative, executive, or judicial, are vested in and exercised by legal officers. Such an organization of human beings is a state. Has that organization a rightful religious jurisdiction?

No one claims that our religious rights extend to the commission of crime against the peace, good order, and safety of human society; and hence it is admitted on all hands that the state may and should so restrain the practice of individuals as to guard the body-politic against this result. So also the state may and should protect the people in the peaceable exercise and enjoyment of their religious rights, as against any infraction by each other. And still further, where religious societies are formed and acquire property in their collective capacity for religious purposes, the state may and should, without any discrimination among them, invest them with the legal faculties of civil corporations in respect to their temporalities, and protect

their rights and hold them to all their just responsibilities as such. To this extent the state has jurisdiction; but beyond this it cannot go, as a law-making and law-executing power, without becoming a trespasser, by exceeding its own province. Any exercise of legal power beyond this is in principle, and, for a rule, in practice, inconsistent with the religious liberty which inalienably attaches to every human being. Such is the answer that we give to the question above proposed. Is the answer correct?

Religion consists essentially in spiritual exercises directly or indirectly relating to God, in the recognition of his being, attributes, and claims, in the complacent admiration of his character, in devout resignation to his will, in penitence for any violation of that will, and in the performance of duty imposed by his supreme authority. The seat of religion, as a fact of experience, is in the soul itself, and nowhere else. The outward expression is only the symbol and product of the inner fact. The substance of the thing is in the heart, and its manifestation in the life.

Now, in respect to every human soul, God himself is directly the supreme lawgiver, and every soul is as directly responsible to him for what it thinks, feels, wills, and does. No human authority, whether that of the parent or that of the state, can stand between the soul and its Maker. The term religion supposes a personal God and a personal soul, related to each other as sovereign and subject—the former ruling the latter by a precedence and superiority which no other authority can either supersede or successfully dispute. The proposition that “we ought to obey God rather than men,” is one of absolute and universal truth. The necessary result is, that when the will of God and that of men are in conflict, the latter, to the extent of the conflict, must yield to the supremacy of the former. The prophets, the apostles, the early Christians, who took joyfully the spoiling of their goods, and the martyrs who have bled and died for Christ, adopted this principle and acted upon it. They exercised the right of obeying God according to their understanding of his will, and met whatever consequences might arise therefrom. No one who acknowledges the existence and government of God will for a moment dispute the principle.

This principle brings the individual reason and conscience in contact with a series of very grave questions. Whether there be a God, and, if so, what is his character; whether God has disclosed his will to men, and, if so, what that will is, and where it is to be found; whether the Bible is the expression of this will, and, if so, what it teaches; whether the Christ of the Bible is a Divine Saviour, or merely a man; whether the system of the Papacy or that of Protestantism is the truest and best expression of the Christianity of the Bible; whether one shall pray, repent of sin, believe in Christ, confess his name before men, and hope for salvation through him—as to these, and all similar questions that bear upon the relations and duties of the soul to God, no human being, unless directly inspired for the purpose, can authoritatively judge for another. We may help each other, but at last every man must judge for himself. There does not now exist on the face of the earth any bureau in any ecclesiastical power or system, or in any form of civil government, divinely authorized to bind the conscience or rule the faith of anybody; and all attempts to get up such bureaus invade a province held exclusively by God himself. They insult the majesty of heaven, while they outrage the rights of earth. The individual, in respect to his religion, has no question to ask of the state; and, beyond affording him an impartial protection of his person and his rights, the state, so long as he commits no crime against the peace and good order of society, has nothing to do with him in that relation. Religion is his own business; and the duty of the state is to let him alone, and see to it that all others let him alone. When the state has protected him in the peaceable exercise of his religion, it has discharged its whole duty in the premises. This is all that any man needs from the state, all that he is entitled to receive, and all that a just government can consistently render. When this, and no more, is done, then religious liberty is secured.

Unfortunately for civil government, and just as unfortunately for religion, most of the governments of this world have not been content to confine themselves within this province. Most of them have assumed a religious jurisdiction that did not, and could not in the nature of things, belong to them; and of the evil consequences when the civil power is thus allied with relig-

ion, mankind have had a very large experience. Religion then puts on the garb of state religion, and church and state become the same organism, or one exercises a dominant control over the other. In both cases we have a union of ecclesiastical and civil powers, and in both, religion with the sanction and authority of human law impressed upon it. The religion may be some type of Paganism: it may be Mohammedanism, or it may be Christianity; and if the last, it may be Roman Catholicism, or some form of Protestantism. Whatever it is, it is a state religion, and either administers or is administered by the civil power. Its dogmas are the commands of earth as well as the professed commands of heaven, and always the former whether the latter or not. Teaching and exhortation are supplemented by the civil arm, and the power of physical force is added to that of persuasion.

To give in any thing like detail the consequences of this alliance between two things so widely different, and naturally and properly so distinct and separate, would carry us far beyond the limits of this article. Every intelligent reader of history is familiar with the story, and it is essentially in kind the same story everywhere, differing in different countries and ages only in the degree of the evil. Pains and penalties, discriminations among the people on religious grounds, special privileges and immunities granted or denied on these grounds, compulsory taxation for the support and propagation of religion, the civil appointment and control of religious teachers, religious tests as qualifications for office or to testify in a court of justice, the corruption of the ministers of religion and the ministers of state, a poor religion in its reformatory power, and at the same time a bad government—these are among the evils which with great uniformity have grown out of the unnatural union.

The union has made more hypocrites and monsters than it ever made saints, and has taught far more error than truth. There is no zeal more to be dreaded, and none more merciless and unrelenting, than religious zeal when armed with the civil power. It puts the sanction of Heaven upon the cruelties and crimes of earth. There is no darker chapter in the history of governments than that which chronicles the misdeeds of this zeal. The martyrdoms of ages past, not a few of them in the

name of the gentle and loving religion of Jesus, are illustrations of what this zeal has done. The sighs and groans of religious liberty, oppressed and trodden down by the heel of human power, not only tell the tale of its woes, but also record the protest of right reason against the abomination. Even those who have been the victims of oppression have, as was to some extent the case with our Puritan fathers, sometimes forgotten, "as victors, the lessons which as victims they had learned." These fathers fled from persecution, and then some of them became persecutors themselves.

It is undoubtedly true that a state organization, with civil government for its agency, is a necessity of human society, and in this sense an "ordinance of God." Human rights as to person and property must be defined and protected by the coercive authority of law. The public peace must be preserved, crime must be punished, and the various controversies which arise between individuals must have some way of legal and final settlement. These are very important ends, and for these and similar purposes civil government is the best machinery that human wisdom can employ. No other can take its place, or do its work. It cannot be so bad as not to be better than anarchy. Yet when that which is good in its place, and good for its proper ends, passes beyond the sphere of things temporal, and undertakes to operate in that of things spiritual, then an assumption has been made which the facts prove to be a most serious mistake. Civil government is neither omnipotent nor omniscient, and certainly not inspired. It is not administered by archangels, and is quite often administered by very bad men. It always acts, not by persuasion, but by the authority of law, and coerces obedience by penalty. Its method of operation shows that it is not well fitted to the accomplishment of religious ends, however well it may be adapted to certain temporal ends. The latter are quite enough for it—indeed, all that it can attend to with advantage; and when it attempts to go further, it not only exceeds its own proper function, but entirely over-tasks itself.

The fact that a pure religion, widely diffused among the people, is the most conservative and benign influence that can act upon them, and for this reason highly beneficial to

the state, may be very freely granted. This is unquestionably true. But it does not hence follow that the state as such, through the agency of civil government, is the proper organism to declare what is the true religion, or take measures for its propagation and diffusion. It may be—facts show it to be so—that the state is not adapted to this purpose. It is a fact of history that the state will receive the largest and best contribution of benefits from religion when the latter enjoys the most perfect freedom to work out its own results. This being the case, then state interposition, state direction, and state management are not only superfluities, but a positive damage to the best interests of the commonwealth.

The Founder of the Christian religion understood the requirements of his own system, and the best method of attaining the ends he had in view. His plan was alike comprehensive and exclusive. Conquest, universal conquest, and by conquest the final displacement of all other religions, were the great mottoes of the plan. How was this to be done? Not a word ever fell from the lips of Jesus containing the remotest hint that his dependence for success was upon civil government, or that his plan embraced its agency as an auxiliary help. He did not commit the apostleship of his gospel to the state, but he did commit it to his friends and followers, and directed them to go into all the world and preach this gospel to every creature, promising to be with them even unto the end of time. His kingdom he declared to be not of this world. The weapons of its warfare were to be entirely spiritual. The church, composed of his friends, and springing up as the product of his power and grace in the hearts of men, was to be in all ages the pillar and ground of the truth. No careful reader of the New Testament can fail to see that no function whatever, in the direction, management, and propagation of the Christian system, was assigned by its author to the state, or to any of the agencies which the state ordinarily employs. He did not propose to interfere with the state, or to supersede its authority, or make his disciples rebels against that authority; but he did propose to have his work prosecuted independently of the state.

It is, moreover, a matter of history that the religion of Christ has always prospered most in the true sense, when it has

had least to do with the state, and the state has had least to do with it. For the first three centuries it was the religion of individual conviction, resting simply on its own evidence and persuasive power, holding no other relation to the state than that of a persecuted religion, and doing its entire work by the use of spiritual means; and then it was that it spread itself, against the greatest seeming disadvantages, with a rapidity, purity, and power that have never since been exceeded. Then it was that venerable and pompous systems of Paganism, some of them the most captivating that the world has ever known, yielded to the resistless energy of its moral march. Men suffered and died by tens of thousands for the sake of their Divine Master; and yet the blood of the martyrs everywhere became the seed of the church. The state afterwards espoused Christianity and made it a state religion, and in the hands of the state it was not only corrupted and half-paganized, but assumed, and for centuries maintained, the character of a persecuting religion. The same experiment has often been tried, and the results in kind, if not in degree, have always been the same.

Let us not forget that Christianity in itself, in its own appointments, in the inspirations which it imparts, and in the laws which it prescribes, contains all the necessary instrumentalities and means for its own diffusion. The church which it creates and animates with its own spirit, unlicensed and unpatronized by the state, yet strong in argument, patient in effort, persuasive in love, and, above all, having the assurance of divine help, constitutes the most effective soldiery in this warfare. It can make more converts than the state can, and make better ones. It can do its work better without state battalions and state tax-gatherers, than it can with them. It has vast blessings to bestow upon the state through its influence upon the hearts and lives of the members of the body-politic; yet all experience teaches that, in order to receive these blessings in the purest form and the largest measure, the state can do nothing so wise for itself *as simply to do nothing*, and leave the work of maintenance and propagation to other and more appropriate agencies. It has always proved itself to be a poor preacher, and quite often a worse theologian.

Masterly inactivity, in the sense of leaving the administra-

tion and propagation of the Christian religion exclusively to the *voluntary* principle, is hence the best policy, alike for the state and the religion. A simply protected church, in the sense of perfect religious freedom without any special privileges, can and will do the moral and spiritual work of Christianity far better without the help of the state than it can with it. The ministers of religion, naturally the captains of the Christian army, will command and move the forces with greatest productive effect, and have better forces to move, when the state lets both ministers and forces entirely alone. If we want a selfish and indolent ministry, the short road to the result is to endow it with fat livings.

Reasoning, then, from the nature of religion, the right of religious liberty, the supremacy of God's authority, the imperfections and inadequacy of civil government, the evils which have arisen from its attempt to perform the religious function, the position taken by the great Teacher of mankind, and the fact that when Christianity has been allied with the civil power vastly more harm than good has resulted therefrom, we come to the conclusion that, as to the management and propagation of religion, the] state, considered as a political organism acting through civil government, has no rightful jurisdiction. This is true in respect to any state and any system of religion, and especially true in respect to Christianity. The state is an organization for temporal purposes, and to those purposes it should be confined. Here, and here only, it has jurisdiction. The only possible exception would be that in which God himself constitutes a theocracy, and supernaturally endows and guides it. No such fact now exists in the world, and hence the exception has no existence.

Passing now from this general view, we come to consider the political organizations of this country. What are they? What is the American doctrine of the state and its functions, as expressed in the political and civil institutions which the people have adopted, and under which they are now living? These are questions of fact as well as of theory; and, moreover, their answer has a special pertinence to the matter in hand.

The American people have two coexistent political systems, operating among and upon the same people and within the

same territory, yet entirely distinct and separate in their sphere and their agencies. One is the political system of the United States existing under the Federal Constitution, and being what Mr. Wheaton, in his "Elements of International Law," terms a *compositive* state. The other is the political system of the several States, existing under their respective constitutions. The two in many respects are analogous. They agree in being the creations of the people. Both recognize and assert the doctrine that sovereignty in human governments originally exists in the people, and is exercised through the medium of delegated power. All the officers of law in both are either chosen by the people, or appointed by those so chosen. The tenure of office in both is either limited by specific terms of service, or liable to be terminated for any abuse of power by the process of impeachment and removal. Both systems exist and act under written constitutions. Thus, the people in this country rule themselves through the agents of their own choice; and this great principle of self-rule applies equally to both political systems. The difference between the two is not at all in the principles upon which they are constructed, but only in the sphere of their action. Here they are distinct and separate, and exercise their powers independently of each other.

The larger system is that of the United States; and, as to the nature, powers, purposes, and limitations of this system, the Federal Constitution affords us complete information. What, then, is the doctrine of that Constitution in reference to the functions to be performed by the Government of the United States? This question is answered by the first three articles of the instrument—the first relating to the powers granted to Congress; the second, to those granted to the President; and the third, to those granted to the judiciary. There is not a syllable in these articles, or anywhere else in the Constitution, that carries the powers of the government beyond purely temporal objects and interests. The government, in this respect, is exclusively *secular*, as much so as a bank corporation or a railway company. The objects to be attained, as recited in the preamble to the Constitution, were "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure

the blessings of liberty to ourselves and our posterity ;" and the powers granted lie simply within the circle of these objects.

There are but two clauses in the Constitution, as originally adopted, that have even the remotest reference to the subject of religion ; and neither of these changes its character. In the one, the President is required to swear or affirm that he will perform the duties of his office ; and in the other, Senators and Representatives, the members of the several State legislatures, and all executive and judicial officers of the United States and the several States are required to be bound by oath or affirmation to support the Constitution, with the qualification that "no religious test shall ever be required as a qualification to any office or public trust under the United States." The Constitution provides for an official oath ; but it does not make it indispensable to induction into office, since simple affirmation may be substituted at the option of the party. Nor does it make that oath Christian, or require that the Sacred Scriptures shall be used in its administration. It, moreover, distinctly excludes all religious tests as qualifications for office ; and, as Justice Story says in his Commentaries on the Constitution, the design was "to cut off forever every pretence of any alliance between church and state in the National Government." An atheist, if the people so choose, may be elected to any office within their gift, and may enter upon its duties by simple affirmation. Politically considered, he is just as well qualified as the most devout Christian. The Constitution of the United States makes no distinction between them, and knows nothing about the religion of the latter or the want of it in the former.

The first amendment to this instrument expressly declares that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." This was designed to deny and does deny all power to Congress upon this subject ; and, as remarked by Justice Story, the result sought and attained is that "the Catholic and the Protestant, the Calvinist and the Arminian, the Jew and the Infidel, may sit down at the common table of the national councils, without any inquisition into their faith or mode of worship." As citizens of the United States, they stand upon the same level and enjoy precisely the same rights. The subject of religion is

wholly removed from the jurisdiction of the General Government, not only by not being included in its powers, but by being expressly excluded therefrom. "The people of the United States," considered as a body-politic operating through law, have no religion to teach, no doctrine of God to promulgate, and no form of worship to sustain or enforce. The framers of the Constitution designed to make it a *political* instrument, and nothing else. It is such in fact, and, as such, has nothing to do with any religious system.

It would be doing great injustice to these framers and to the people of the United States to say that the former were, and the latter are and have been, atheists, because religion is unknown in the Constitution. The omission to place a confession of faith in the organic law of the land, or to imply one, is not due to atheism at all, but to the prevalent opinion of the American people that a constitution for civil government is not the place for such a confession. A small fragment of the people think otherwise, and would hence so change the preamble to the Constitution as to make it acknowledge "Almighty God as the source of all authority and power in civil government, the Lord Jesus Christ as the ruler among the nations, and his revealed will as of supreme authority," and in this way "constitute a Christian government." The great majority of the people are and always have been satisfied with the Constitution as it is on this subject. It secures religious liberty in the most absolute sense, so far as the General Government is concerned; and the only possible improvement would be to amend the instrument, so as to guarantee the same result in respect to the State governments.

The other political system of this country is that of the several States. This we find in their respective constitutions, which, while substantially similar in the powers of government and the manner of their distribution, contain provisions relating to religion, for the most part designed to protect the religious liberty of the people against encroachments by governmental agency. Thirteen State constitutions antedate that of the United States; and if we go back to those constitutions, and especially if we go back to a still earlier period, we shall find some things which were not protective of religious liberty,

but just the reverse, yet which, with a few exceptions, have entirely disappeared from the State constitutions of this country. In the outset of our political institutions, and for some time afterwards, the fathers practically adopted the doctrine of church and state, and to some extent the doctrine of proscription, and even persecution, on religious grounds. They borrowed these elements from the mother country; and it was only by a slow process that such features were eliminated from the political system of the States. State constitutions adopted since that of the United States, and prior ones since amended, partake largely of its character in respect to the question of religious jurisdiction; and, with a few exceptions, in some of these constitutions they partake wholly of its character. The general fact is that, on this subject, they move exactly in the line of the Federal Constitution.

To prove this proposition by extended citations would be tedious to the reader. A few illustrations must, therefore, suffice. The constitution of Illinois declares that "the free exercise and enjoyment of religious profession and worship, without discrimination, shall forever be guaranteed, and no person shall be denied any civil or political right, privilege, or capacity on account of his religious opinions." The same constitution provides that "neither the General Assembly, nor any county, city, town, township, school district, or other public corporation, shall ever make any appropriation or pay from any public fund whatever, any thing in aid of any church or sectarian purpose, or to help to support or sustain any school, academy, seminary, college, university, or other literary or scientific institution controlled by any church or sectarian denomination whatever; nor shall any grant or donation of land, money, or other personal property ever be made by the State or any such public corporation to any church or for any sectarian purpose."

The constitution of Iowa says: "The General Assembly shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; nor shall any person be compelled to attend any place of worship, pay tithes, taxes, or other rates for building or repairing places of worship, or the maintenance of any minister or ministry. No religious test shall be required as a qualification for any office or public trust,

and no person shall be deprived of any of his rights, privileges, or capacities, or disqualified from the performance of any of his public or private duties, or rendered incompetent to give evidence in any court of law or equity, in consequence of his opinion on the subject of religion."

The constitution of Michigan says: "The legislature shall pass no law to prevent any person from worshipping Almighty God according to the dictates of his own conscience, or to compel any person to attend, erect, or support any place of religious worship, or to pay tithes, taxes, or other rates for the support of any minister of the Gospel or teacher of religion. The legislature shall not diminish or enlarge the civil or political privileges and capacities of any person on account of his opinions or belief concerning matters of religion."

The constitution of New Jersey provides that "no religious test shall be required as a qualification for any office or public trust, and no person shall be denied the enjoyment of any civil right merely on account of his religious principles." Thirty-five of the State constitutions in express language recognize and protect the rights of a religious conscience against any exercise of governmental power, subject to the qualification that these rights shall not be so used as to disturb the public peace or interfere with the rights of others.

Looking at the various provisions of the State constitutions with reference to the subject of religion, Mr. T. M. Cooley, Chief-Justice of the Supreme Court of Michigan, in his "Constitutional Limitations," chapter xxiii., says: "Those things which are not lawful under any of the American constitutions may be stated thus: 1. Any law respecting an establishment of religion; 2. Compulsory support, by taxation or otherwise, of religious instruction; 3. Compulsory attendance upon religious worship; 4. Restraints upon the free exercise of religion according to the dictates of the conscience; 5. Restraints upon the expression of religious belief." He adds: "These are the prohibitions which in some form of words are to be found in the American constitutions, and which secure freedom of conscience and of religious worship." He says also that "it is not toleration which is established in our system, but religious equality."

This accords with the doctrine laid down by the Supreme

Court of Maine, in the case of *Donahoe v. Richards*, 38 Maine Rep., 379, in which the court, referring to the constitution of that State, said that it "does not recognize the superiority of any form of religion, or of any sect or denomination," and that it "regards the Pagan and the Mormon, the Brahmin and the Jew, the Swedenborgian and the Buddhist, the Catholic and the Quaker, as possessing equal rights." To the same effect spoke the Supreme Court of Ohio, in the case of *Bloom v. Richards*, 2 Ohio State Rep., 387, in which the court remarked: "Neither Christianity nor any other system of religion is a part of the law of this State. We sometimes hear it stated that all religions are tolerated in Ohio; but the expression is not strictly accurate. Much less accurate is it to say that *one* religion is a part of our law, and all others are only tolerated."

Mr. John Norton Pomeroy, in his "Introduction to Municipal Law," p. 292, makes the following statement as to the general theory in regard to religion, on which our National and State constitutions are built :

"The theory of our National and State constitutions is that the state, as an organic body, has nothing whatever to do with religion, except to protect the individuals in whatever belief and worship they may adopt; that religion is entirely a matter between each man and his God; that the state, as separated from the individuals who compose it, has no existence except in a figure; and that to predicate religious responsibilities of this abstraction is an absurdity. Whatever, then, the state does, whatever laws it makes touching religious subjects, are done and made not because the state is responsible, but simply that the people may be secure in the enjoyment of their own religious preferences. Public labor is forbidden by law on Sunday, not because the state, as such, respects the sacredness of the day, or attempts to enforce its observance, but because a large portion of its worthy citizens do regard the day as sacred, and employ it for public and private worship, and have a right to be protected in the quiet use of the time for these purposes. So far as the state is concerned, the laws forbidding public labor on Sunday stand on exactly the same footing as those forbidding disorderly houses, public intemperance, and all other acts which disturb the peace. The same may be said of laws against profane swearing."

Mr. Pomeroy says that although the people "are doubtless as much impressed with Christian ideas as those of any other nation, our governments, both State and National, by ignoring the whole subject, can hardly be called Christian." It is simply

the truth, that neither Christianity nor any other religious system forms any part of the Constitution of the United States ; and the same truth meets us when we turn to the constitutions of the several States. The design in both is to place religion beyond the jurisdiction of civil government, except in the matter of impartial protection, and leave the question of religious faith and practice to individual choice and individual action.

It is sometimes said, in a loose way of speaking, that Christianity is a part of the common law of the land. This expression originated with Sir Matthew Hale, a distinguished jurist of England. Lord Campbell, in his "Lives of Chief-Justices," explains it as simply meaning that the common law of England will not permit the essential principles of revealed religion to be ridiculed and reviled. The English Commissioners on Criminal Law, in their Sixth Report (1841), express the opinion that the maxim, often repeated after the days of Sir Matthew Hale, does not "supply any reason in favor of the rule that arguments may not be used against" Christianity, "provided it be not done in such a manner as *to endanger the public peace by exciting forcible resistance.*" In England, even, Christianity is no part of the law, except so far as it has been made such by acts of Parliament. It being the prevalent religion of the English people, the common law will not allow it to be reviled and ridiculed in a way to make the act an offence to public sensibility. This, however, does not enforce its precepts, or clothe it with any civil authority.

Nothing can be more certain than that the maxim has no application to this country in the sense that Christianity is an established religion, or that its precepts and doctrines, by the force of their own authority, form any part of our system of municipal law, or that courts are entitled to base their judgments upon the Bible, or that any religious observances or duties may be penally enforced, or that any legal discrimination in favor of Christianity is allowable. All such constructions are excluded by the constitutions of the land. Chief-Justice Cooley, in his "Constitutional Limitations," p. 472, says that Christianity "is *not* a part of the law of the land in the sense that would entitle courts to take notice of and base their judgments upon it, except so far as they shall find that its precepts

had been incorporated in and thus become a component part of the law." Mr. Sedgwick, in his treatise on the "Construction of Statutory and Constitutional Law," p. 14, says: "Our constitutions extend the same protection to *every* form of religion, and give no preference to any." Mr. Wharton, in his "American Criminal Law," vol. iii., p. 188, says: "Infidel and skeptical opinions are only indictable when publicly and grossly expressed in *such a way as to become a common nuisance, or to provoke a breach of the peace*. We may therefore conclude that, while the spiritual element of Christianity is protected by the common law, the former does not so enter into the latter as to place matters of religious faith within the jurisdiction of the civil authority, either for vindication or enforcement."

Justice Clayton, of the Supreme Court of Delaware, in the case of *The State v. Chandler*, 2 Harrington's Rep., 553, said that the common law "sustained indictments for wantonly and maliciously blaspheming God, or the Founder of the Christian religion, because such blasphemy tended to subvert the peace and good order which it was bound to protect. But it sustained no indictment for a mere sin against God as a common-law offence, where these objects of its care were not affected." He added that the common law punished blasphemy only "when it tended to create a riot, or break the peace in some other way, or subvert the very foundation on which civil society rested." He added again that the Christian religion is a part of the laws of the State of Delaware "so far that blasphemy against it is punishable while the people prefer it as their religion, and no longer." He also said that if "the people should adopt the Jewish or Mohammedan religion, as they have an unquestionable right to do, if they prefer it, this court is bound to take notice of it as their religion, and respect it accordingly." The position of the learned justice is, not that the common law determines what the religion shall be, or seeks to enforce any religion, but that, the people having made their choice, the common law will treat, as an offence against society, blasphemous acts which outrage the sense of public decency, and are calculated to provoke a breach of the peace. In no other sense, and for no other reason, is Christianity a part of the common law of this country.

The Supreme Court of Ohio, in the case of *The Board of Education of Cincinnati v. Minor and others*, 23 Ohio State Rep., pp. 246, 247, said: "We are told that this word 'religion' must mean 'Christian religion,' because 'Christianity is a part of the common law of this country,' lying behind and above its constitutions. Those who make this assertion can hardly be serious, and intend the real import of their language. If Christianity is a law of the State, like every law, it must have a sanction. Adequate penalties must be provided to enforce obedience to all its requirements and precepts. No one seriously contends for any such doctrine in this country, or, I might almost say, in this age of the world. The only foundation (rather, the only excuse) for the proposition that Christianity is a part of the law of this country, is the fact that it is a Christian country, and that its constitutions and laws are made by a Christian people."

The court, in this deliverance, used the term *law* in its proper sense, meaning thereby a rule of conduct established and enforced by the civil authority; and in this sense Christianity is plainly no part of the law of any American State, either common or statutory. The fact that the civil law in many respects coincides with Christianity does not assign to the latter this character, or give it any legal preference over any other system of religion. What and all that the common law does is simply to take notice of Christianity as an existing fact, founded on the choice of the people, and protect the people in their choice against such blasphemous aspersions as would violate the general sense of decency and endanger the peace of society. It would do the same thing if Mohammedanism were the prevalent religion of the land. The public sensibility, whether it relates to religion or any thing else, is not to be wantonly outraged and offended. Human beings will not, for this reason, be permitted to appear in the streets in the state of absolute nudity; and on the same principle, the common law says that the religious sensibilities of the people shall be treated with becoming decency. It asserts no other jurisdiction in religious matters.

Mr. Justice Strong, of the Supreme Court of the United

States, in his lectures on the Relations of Civil Law to Church Property, Discipline and Property, pp. 30, 31, observes :

"No state recognition of the church, however, or even of religious obligation, is to be inferred from the fact that civil law punishes many offences which are condemned by the divine law, and which the church also condemns and punishes. Many offences against civil society are acts prohibited by the Decalogue, and by all churches. False swearing, theft, adultery, and murder are violations of municipal law, and persons guilty of them are punished by the authority of the state, not because the offences are violations of the divine law, or the law of the church, but because they are infractions of the rules which civil society has found it necessary to establish for its own protection. In many of the States, orderly observance of the Sabbath and abstinence from unnecessary labor are enjoined by statutes. Penalties are also denounced against profaneness and blasphemy. But it would be a mistake to regard such enactments as church recognitions. They may have been suggested by respect for religion ; but, as *civil* enactments, they are justifiable only by their tendency to protect the public peace and preserve public decency, good order, and good morals—objects for which civil society exists."

We shall now assume, without following this question to greater length, that the political system of this country, whether State or National, does not assign to civil government the performance of any religious functions, and does not confer upon such government any jurisdiction in respect to any system of religion, with the single exception of affording to all the people impartial protection in the exercise and enjoyment of their religious rights. In this respect the American state, whether in the compositive form of the United States or in that of the several States, is the model state of the world. Mr. Hoffman, in his "Ecclesiastical Law," p. 274, remarks: "In no part of the world is the great principle of the exclusive rule of the church in matters ecclesiastical, and of the state in matters civil, more generally recognized than in the United States." A free church in a free state is the American idea of both church and state.

Turning, then, to the population of the United States, we at once meet the broad fact of a common and equal citizenship. The Fourteenth Amendment to the Constitution states this fact in the following terms: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State

wherein they reside." The citizenship here affirmed, whether that of the United States or that of a State, is a complete and entire fact, and equal to itself everywhere. The requisite conditions being supplied, every person is fully a citizen; and whether he is such by birth or by naturalization is a matter of no consequence. The native-born citizen, with the single exception of eligibility to the Presidential office, has no precedence of any kind over the naturalized citizen. Whatever privileges and immunities attach to the status of United States citizenship belong equally to all United States citizens, without any reference to sex, age, nativity, race, color, or religion; and the same doctrine applies to State citizenship. There is no status intermediate between that of an alien and a citizen. A common and equal status embraces all the people who are citizens at all, and makes them equal before the law, securing to them the same civil rights and holding them to the same responsibilities.

And yet the American people, when considered with reference to their *religion*, present a mixed and diversified character. The prevalent religion of the country by a very great preponderance is Christianity. All Christians, however, are not united in the same ecclesiastical organism. They are divided into two classes; the first embracing the Roman Catholics, who acknowledge the spiritual supremacy of the Pope; the second and much larger class embracing those who are called Protestants. These Protestants, on the ground of differences in polity or doctrine, are also divided into subordinate classes; and hence we have Baptists, Congregationalists, Episcopalians, Lutherans, Methodists, Presbyterians, the Reformed Church in America, Unitarians, Universalists, and other minor sects—all of them being Protestants as distinguished from Catholics, and all claiming to base their religion upon the authority of the Bible. To these classes we must add Jews, who accept the Old Testament and reject the New; Mormons, Swedenborgians, Spiritualists, Shakers, etc. And even this does not exhaust the population by any means, since we must add again Rationalists, Deists, Positivists, Pantheists, Atheists, and a large number of persons attached to no sect, who can hardly be said to have any settled and determinate

faith on religious subjects. A simple statement of the facts at once presents a very great variety of faith and practice among the American people the moment we compare them under the religious aspect. Here they are very far from being one people, or having the same sort of religious conscience.

The state, however, considered as a political organization, manages to keep itself in harmony with all these diverse religionists by extending an equal freedom to all, by protecting all in the exercise of that freedom, by not adopting the creed of any, by leaving all to propagate religion in their own way and at their own charges, and by making no discriminations among them. *The state knows them simply as citizens*; and as to their religion, it has nothing to say. It makes no appointment of their ministers, and constructs for them no system of ecclesiastical government, and interferes with none which they have constructed. They may discuss doctrine and polity as much as they please; they may peaceably attack and denounce each other; they may worship God in any manner, not involving crime, that suits them best; they may organize any amount of machinery for religious propagandism; and the state, as such, will not pay the slightest attention to them, or raise even the first question in regard to them.

It is by this policy that an American State holds a just and impartial relation to the religion of all its citizens—just, because it does not interfere with their liberty; and impartial, because it makes no discriminations among them. Its theory is to treat all alike, not by patronizing and supporting the religion of all but by having nothing to do with the religion of any of them. This is the position which has long since been taken by the American state in respect to the administration, regulation, and support of religion; and it is the only position which it can take in consistency with its own principles and the prevalent views of the people. Any law understood to be an essential departure therefrom would instantly arouse a public excitement that would speedily sweep it from the statute-book.

How, then, shall the problem of the Bible and the Public School be solved by such a state? In the outset of this article we took special pains to explain the terms of this problem, anticipating the very question we have now submit-

ted. In the progress of the discussion we have endeavored to show that the state considered as a political society, armed with and exercising the powers of law, has no jurisdiction in matters of religion beyond that of affording an impartial protection to the exercise of religious liberty, and that the political and civil institutions of this country are constructed upon this principle. We do not see how it is possible, in the light of these premises, to give but one answer in respect to the so-called school question; and that answer is, that the State should not, by the use of the Bible or any other book, or any form of religious exercise, undertake the work of religious propagandism in the school which it creates and governs, and for whose support it indiscriminately taxes the people.

We see no reason why the State should depart from this principle in respect to the public school that would not justify a similar departure in respect to the pulpit on the Sabbath, and that would not justify the whole doctrine of church and state. The principle is no worse and no better in the public school than in the pulpit or anywhere else. If the state is neutral in respect to religion in the pulpit, why should it not be so in the public school? If the state, as such, has no religion to propagate or establish, why should it undertake to have one in an educational system which it makes a common charge upon the people? Why should it here disown its own nature, and transcend its own functions as recognized and acknowledged everywhere else? There is nothing worse in a secular public school than there is in a secular state; and if the people are content with the latter, why should they not be content with the former, provided they think it expedient to have a public school at all? Such a school is simply a natural and fair expression of the principles upon which the state is organized. It does not misrepresent the state, but correctly represents it.

The fact that the people, who must be taxed in common for the support of the public school, have such diverse religious sentiments, gives to this view an importance which it might not otherwise possess. Let us look a moment at the question as pending between Catholics and a numerous class of Protestants.

The Catholics years ago began what may perhaps be called

the school war, by denouncing the use of King James's Bible and other religious exercises in the public school, alleging that this use and these other exercises were Protestant in their effect and tendency, and that it was unjust in the state to tax them for the propagation of Protestantism. They claimed the same rights in the public school as those enjoyed by Protestants. Their argument in the outset took the form of a protest, and so far as it rested upon facts it was a good one. In the progress of the discussion the Catholics have advanced to the position that their children must receive a religious education after the type of their own faith, and that the state should either divide the school funds *pro rata* among the religious sects according to the number of children educated by each sect, or exempt Catholics from taxation for school purposes. There is no prospect, we are glad to hope, that either of these propositions will be adopted by the state. The state cannot have one rule for taxing Catholics and another for taxing Protestants; and it cannot divide the school funds among the sects without destroying its own system and making itself simply a religious tax-gatherer.

How then should the state treat the Catholic in its public-school system? We answer that it should remove therefrom all just causes of complaint. Any thing in the system that favors Protestantism, as distinguished from Catholicism, is such a cause, and it should be removed. And if the Catholic, after having had this deference paid to his views, is still dissatisfied, and insists that his children shall be educated in the Catholic faith, then the proper answer of the state is, that such education shall not be furnished at the public expense. If he chooses to secure the result in private schools, or in parochial schools managed by the Catholic sect, that is his own business. He is entirely right in the opinion that religious instruction is an important part of education, and right for himself in the further opinion that his children should be taught in the Catholic faith; but he is not right in asking the state to do this work for him or pay the expenses thereof. The state knows nothing about his faith as a religionist. It knows him and his children only as citizens.

The Protestants, on the other hand, in their resistance to the

demands of Catholics, which, if gratified, would make the state a party to the propagation of Roman Catholicism, are entirely right, not simply as Protestants, but as citizens. Let them, however, see to it that they do not put themselves in the wrong by demanding for themselves what they are agreed in denying to Catholics. This they will do if they insist upon any religious *régime* in the public school which is Protestant in its character. They have no more right to make this school a Protestant machine at the public expense than the Catholic has to make it a Catholic machine. The state knows nothing about their religion as Protestants. It knows them only as citizens, and as such they stand upon the same level with the Catholic or the Jew. Their agreement among themselves that King James's Bible shall be read without note or comment—that is, without any accompaniments to make the exercise *sectarian* as among themselves—is no relief to the Catholic or the Jew, since the former does not accept this Bible as a correct version of the Sacred Scriptures, and the latter does not accept the New Testament portion of it, and both protest, and that, too, justly, against being taxed for the propagation of what they regard as Protestant Christianity, and also against being compelled to submit their children to this influence or keep them from the public school. We say unhesitatingly that any such position on the part of Protestants is unreasonable and unjust, and that it cannot be carried into effect without injustice in practice. They would instantly so judge if the public school, for whose support they are taxed, and to which they wish to send their children, were made an instrumentality for teaching Catholicism. They would not consent to substitute the Douay Bible for King James's version. They would equally object to any thing in the public school which is not *common* to them all; and hence the religious exercises must be of such a general Protestant character that they will have no *sectarian* feature as among themselves.

This antagonism between Catholics and Protestants in respect to the public school can never be adjusted satisfactorily to both so long as they deal with the question as religionists. Here they conscientiously differ, and here they can never agree. But if they would consider the question as citizens,

having equal rights and equally bound to respect the rights of each other, and remember that an American State has nothing to do with the propagation of any religious system, they could very easily come to a common understanding on this subject. Education to the extent and for purposes compatible with the principles which constitute the theory of such a state, and which recognize their common and equal rights as citizens, is certainly good as far as it goes. It is all that the state can consistently give in a school which is made a public charge and managed under the authority of law. The moment the state passes beyond this point, it connects the exercise of its powers with some form of religion; and this would be virtually a state religion in the public school.

The fact that the education afforded by the state is not *complete*, in the sense of including religion in its programme, is no objection to it. This does not exclude religious instruction by other agencies, or involve any demoralization of the mind or character by the instruction actually given. The children certainly are not harmed, intellectually or morally, by being taught the elementary branches of human knowledge in the public school, if there should be no religious exercises or instruction in that school. What is taught is good, good in itself and of great public utility; and if it be all that can be done consistently with the functions of the state, then why not do that good thing, and be content with it so far as the state is concerned? The family is left, the Sabbath-school is left, and the church is left; and here, and not in state institutions, is the proper agency for religious education.

We thus present the question as between Catholics and Protestants, not that they are the only religionists of the land, but because by reason of their number they are the chief parties involved in the issue. The same principles are equally applicable in respect to all other religionists, and even those who disclaim all religion. The Jew is a citizen, the Deist is a citizen, and even the Atheist is a citizen; and the state has no more right to tax them for the propagation of a religion in which they do not believe, than it has to tax Christians for the propagation of infidelity or the idolatries of Paganism. Their religious faith or the want of it has nothing to do with their

rights under our American constitutions. Their position may be offensive to the prevalent moral and religious sense of the people; yet they are members of the body-politic and belong to the fellowship of citizenship, and as such have just as many rights as the most devout Christian. Having constructed our political system, both State and National, upon this principle, we should carry it out. No other course is possible without violating the fundamental principles of the system itself.

All, then, that the American people need to do with the question of the Bible and the public school, as to the proper and final disposition thereof, is to put it just where they have long since put the church question. The latter question is at rest, and has been for a great many years. Nobody proposes to tax Jews or Deists, or anybody else, to teach Christianity in the church, or pay the expense of distributing Bibles. The moral benefits to the state arising from the church, from the worship of God on the Sabbath, from the reading and exposition of the Scriptures in the pulpit, and by a living ministry, and from the diffusion of Christian knowledge, are deemed no reason why the state should interpose its taxing power to provide the means, or its regulative power to direct the agency. So far as such operations of the state have ever existed in this country, they have now passed away, and are looked upon as the errors of earlier times.

Precisely the same view is equally pertinent to the question of the Bible and the public school. Let it be granted, for the sake of the argument, that religious exercises in the form of Bible-reading and worship, even when reduced to the minimum quantity that is practised so far as practised at all, will be of some service in the moral and religious training of children; and it does not, therefore, follow that the state should provide for these exercises in the school which it controls. It might just as well do the same thing in the pulpit, and for the same reason. The principle is the same in both cases, and it is false and anti-American in both.

We are in very hearty sympathy with those Protestants who are in earnest for the maintenance of the public school, as against all the plans of Catholics for a division of school funds, or the teaching of Catholicism at the public expense. Here we

would not yield an inch. But we are not in sympathy with that class of Protestants who demand for their religious views and preferences a state recognition in the public school which they deny to others. If this were by law a Protestant country, and if religion after the Protestant form of the idea were a part of its law, then we should cheerfully concede that, however unjust and improper such an order of things might be, they would have the argument of law on their side. They know, or ought to know, that no such fact exists in the constitutions of this land. These constitutions are neither Protestant nor Catholic, but simply political instruments for the organization of civil government, without any discrimination for or against any religious sect. The wise course for every citizen, no matter what his religion may be, is to accept this fact with all its consequences. Protestants, accepting it in respect to themselves, are strong as against all who decline to accept it; but if they decline the acceptance, and demand for themselves what they are not willing to concede to others, then they are logically weak.

SAMUEL T. SPEAR.

THE STATE IN RELATION TO MORALITY, RELIGION, AND EDUCATION.

I. INTRODUCTION.—II. VIEW OF THE NORMAL RELATION OF THE STATE TO MORALITY AND RELIGION.—III. APPLICATION TO MONEY STANDARDS AND THE PUBLIC FAITH.—IV. APPLICATION TO RELIGION IN THE PUBLIC SCHOOLS.

I. INTRODUCTION.

THE venerable author of the treatise on political science indicated below¹ has devoted the leisure afforded by his retirement from the labors of high public office to its preparation. The subject treated is one on which a thorough systematic treatise was much needed. Smaller manuals, like those of Alden and Andrews, fitted for schools and colleges, and relating chiefly to our own government, are not wanting. Treatises on special modes of government, or governmental functions, and in a limited sense on the science of government, have appeared in forms more or less fragmentary and incomplete. Brougham's Political Philosophy is excellent in its way. The massive volumes of Lieber on Civil Liberty and Political Ethics are a monument of his sagacity, diligence, and learning. Still they are greatly lacking in system and logical completeness. Pomeroy's volumes on Constitutional and Municipal Law are valuable contributions to the philosophic study of our own methods of general and local government. But neither these nor the large

¹ "Political Science, or The State Theoretically and Practically Considered." By Theodore D. Woolsey, lately President of Yale College.

catalogue of treatises, ancient and modern, on various branches of the subject do the work accomplished by the venerable author in these volumes, which contain the ripe results digested from long study and teaching into a system of political science. The work is almost prodigious for its learning and mastery of the ancient and modern literature of the subject, and for the exhaustive view which it takes of the science of the state, both pure and applied. Without dwelling further on its general character, as the author's greatest literary monument, and as a thesaurus for scholars, thinkers, and statesmen, we call attention to one feature of it, which will furnish the key-note to the thoughts which follow. We refer to the ethical element in politics, which he exalts as scarcely any other great writer on the subject has done. Underlying and permeating all, from the very roots of the pure science to the remotest branches of its application, from the very foundation and origin of government to its minutest laws, the moral element is made paramount. In no right system can it be otherwise; for the state grows out of, develops, protects, and affords scope for the moral and social nature of man, and his activities as a free agent in reference to himself, his fellow-men, and his God. Now as man is bound by the moral law in all his free activities, whether they terminate on himself or other beings, it must needs be that in all his actions with reference to the state, whether in originating, sustaining, ruling, or obeying it, he must be under the dominion of conscience, the faculty that is evermore supreme in the human soul, *de jure*, if not *de facto*. Nor can he in his free activities, whether acting in the state or elsewhere, ever escape the authority of its "categorical imperative."

II. VIEW OF THE NORMAL RELATION OF THE STATE TO MORALITY AND RELIGION.

At the very outset, Dr. Woolsey signalizes this as lying at the basis of the state, which comes into being in order to insure to man his rights, *i.e.*, the unrestricted opportunity to exercise, without impediment from others, his free activity in a right manner—the manner prescribed at once by his conscience and his God. For all but atheists recognize the unperverted con-

science as the vicegerent of God in the soul. The right to obey it and fulfil its behests is requisite to our proper manhood. Hence the state is a necessity of man's moral nature.

Dr. Woolsey, therefore, at the start strikes into moral science and its definitions; he emphatically discards utilitarianism as groundless in itself, and inconsistent with every true view of the origin, end, prerogatives, and claims of government. This spurious theory of ethics is at the root of some most pernicious theories as to the origin of government and its rightful authority in some social contract or consent of the persons governed. It founds punishment on mere reasons of expediency rather than justice, and deduces all obligations of and to the state from considerations of expediency or interest alone, rather than of right. No high-toned system of political science or duty can be built on or consist with such an ethical scheme. Suppose it to be clearly for the public welfare that certain parties should be imprisoned or scourged, is this any justification for thus punishing them, unless they are guilty of crimes which deserve it? Suppose that the state would be relieved of heavy burdens by repudiating its debts in whole or in part; can it do this at the behest of a utilitarian policy, without violation of that faith, honor, uprightness, which are supreme in every nation whose morality is untainted and whose manhood is undecayed?

But morality enters into the very being of the state, as the impelling and the final cause of its formation. Its very end is to "promote the prevalence of justice by self-imposed laws"—laws imposed in the exercise of its own free activity by its own constituted authorities, and not by any alien power. An organization of men, whether on a given territory as a state, or vagrant like nomadic tribes, that does not profess to aim at justice, is thereby an outcast from the community of states, and classes only with herds of robbers and bands of pirates—hardly among these, for there is, in its way, "honor among thieves." Even those barbaric kings and unprincipled rulers that shrink from no injustice or iniquity act under the pretext at least of maintaining justice.

Although the sphere of the state is the temporal relations and interests of man, as that of the church is his divine and eternal relations, while that of the family, as the original spring-

head and nursery of both church and state, includes both the temporal and eternal, yet this is not so in such a sense that the state can properly exclude or ignore all relations or abjure all obligations to the divine and eternal. For, in the region of moral duties and relations, the earthly and heavenly come into constant contact. Morality and religion overlap and interpenetrate. That which is due to man much more is due to God for he requires whatever we owe to man as due to himself. To blaspheme is punishable by human laws as an immorality, all the more monstrous because it is a flagrant insult to God. Yet while all morality roots itself in religion, and all religion is of supreme moral obligation, still it is not the end of the state, as such, directly to cultivate religion. It is rather, so to maintain the conditions of our earthly social existence as to accomplish its normal development for the life that now is, in order that this in turn may become the most perfect framework or scaffolding on which to build up the life to come. So rulers are an "ordinance of God," nay "ministers of God,"¹ who, rightly fulfilling their function, "bear not the sword in vain," but are "for the punishment of evil-doers," and the "praise of them that do well;"² who, thus repressing outward violence, lawlessness, and crime, and securing to each his own in every department of life, constrain all "to render unto all their dues," and so enable them "to lead quiet and peaceable lives in all godliness and honesty."³ Still the state is not primarily a religious organization, nor is the church a secular one. Although at points innumerable they interlock with each other and the family, yet each has its own exclusive sphere; each aids the other in lifting man to the perfection of his being. The state in perfecting the earthly life does thereby promote the heavenly. The church in perfecting the immortal does thereby ennoble the mortal life. "Godliness is profitable unto all things, having promise of the life that now is, and of that which is to come."⁴

If morality, then, lies at the very foundation of the state, the questions arise, 1. How far should the moral law be the rule

¹ Rom. 13 : 1-6.

² 1 Peter 2 : 14.

³ 1 Tim. 2 : 2.

⁴ 1 Tim. 4 : 8.

or controlling element of its legislation? and, 2. How far is the moral elevation of the people the proper end of the same?

In regard to the first, the moral law must dominate *negatively*; *i.e.*, no government should pass laws contrary to the moral law—laws which require men to violate it in any of its principles, or which are themselves in violation of it, or aim to protect men in violating it. These propositions are self-evident. Legislation requiring or protecting lying, fraud, theft, disobedience to parents, is simply rebellion against God. The obligation of government not to protect violations of the moral law is, however, qualified in respect to religion by the paramount duty of guaranteeing liberty of conscience up to the point where such liberty of conscience is made a pretext for licentiousness, and its protection by law.

Next, the state must, in all its legislation, aim at the enforcement of truth and justice, in all relations and transactions between its members, and between them and itself, as well as between itself and all other nations with which it has to do. This only pertains to the sphere of outward and perfect—*i.e.*, humanly enforceable—obligations. The state cannot extend its jurisdiction to the intentions or dispositions, which are knowable only by the subject and by Omniscience. It, however, recognizes malice aforethought as of the essence of murder, and presumes it in all cases of killing unless rebutted. Such rebuttal makes the homicide less than murder. It cannot enforce indeterminate duties of any sort which are incapable of specific determination and proof, such as kindness, charity, and courtesy.

Next, within a wide range, it is the province of the state to prohibit immoralities which are capable of detection and proof, and which militate against public safety and private welfare. Drunkenness, prostitution, gambling-houses, theft, robbery, the whole catalogue of crimes alike against morality, the state, and its members, which are capable of judicial ascertainment, come under this category. Besides moral, there are positive laws requiring or forbidding, upon certain pains and penalties, what would be morally indifferent except for the law commanding or forbidding them. Such are innumerable tax, police, and other municipal laws, binding us to do or not to do what otherwise would be left to our free choice absolutely, but when once duly

enacted by authority of the state, impose the same obligation upon the conscience as moral laws, which are binding *per se*.

How far should the state in its legislation aim at the moral elevation of the people? Just in so far as it should aim to sustain truth and justice as against falsehood, fraud, and injustice, it should aim to promote the moral elevation of the people. So in the penalties it visits on crime it manifests the sense of its ill-desert, which it would infuse into the minds of the people. If light punishments be meted out to murder, rape, and arson, it tends to soften the abhorrence of these crimes in the popular estimation. On the other hand, the infliction of barbarous cruelties as punishments, especially for light offences, educates a people to barbarism, and tends to turn a country into habitations of cruelty. Every nation, too, in proportion as it rewards grand and heroic actions, emblazons true nobility of character, and brings to places of power and trust its ablest and purest men, not only serves itself best, but most effectually promotes the moral elevation of the people. This end should be aimed at to the utmost extent compatible with the temporal sphere of the state's activity, concurrently with other ends which devolve on it alone, exclusively of the church. And it is past all question that, whether in its legislation it do or do not aim at the moral elevation of the people, it never can do the reverse, or aim at their moral debasement or corruption, without being recreant to its nature, and sinking with a suicidal leap from a proper human organization to a conspiracy of fiends.

It must be observed, however, that for the state itself to conform to the moral law is one thing. So far as its own acts touch the moral law at all, these acts must be in conformity to that law, certainly not in violation of it. But in regard to the measure and completeness of even outward conformity to it, which it can or should exact of its citizens, this will vary with circumstances, and the ideal must often surpass the real, or the utmost that can be realized in the existing concrete social condition of fallen humanity. In a democratic or even less popular government, legislation, whether of a moral kind or not, is impotent if contrary to the decided opinions or preference of a considerable majority of voters; and none the less so, although many or most of these voters be of that debased class who most

need to be restrained by restrictive or reformatory laws. Thus legislation to prevent drunkenness, by removing facilities and opportunities to indulge in it, is unavailing if a decisive majority of voters are against it. It will either be evaded, frustrated, or repealed. The same is true of Sunday laws. And here lies the secret of the failure of all measures to promote civil-service reform. Those men who can influence most votes in favor of any party or individual politician have claims upon them which it is not deemed safe to resist. But it is notorious that unprincipled manipulators can most easily manage the vote of the most depraved and ignorant, which counts as much as the vote of the intelligent and virtuous. So long as universal suffrage prevails, giving the immense masses of ignorant and debased people, native and imported, black and white, a voice no less than that of an equal number of those who represent the intelligence, virtue, and property of the country, the attempt to prevent those who do not shrink from using the means most sure to capture the vote of the vile, from grasping public office, will be vain. They who bring parties and men into power will not be unheard when they demand in return places of emolument in the gift of those thus indebted to and dependent upon them.

The predominance of the moral element in the state appears not only in reference to its general end in the promotion of justice, but particularly as it exists and operates for the protection of rights. The very word right, used as a privilege or endowment of a man, implies reference to a moral standard, and means something which it is morally right should be conceded and secured to its possessor by others. The state is organized in order thus to secure to men privileges which are rightfully theirs unless forfeited by crime. These rights, so far as they are definable and defensible by the state, are requisites to the due exercise and development of their manhood, as being not mere animals, having a temporary abode on earth, but as rational, immortal, and accountable beings.

Among these, foremost and indispensable, according to the specifications in the volumes before us, is the right to life, including that of self-defence and self-support; whence results the right of property, or the appropriation of one's own labor and its fruits in the utilities he has impressed by his own exer-

tions on natural objects—these, too, whether created by his own immediate agency or that of others who have preceded him and transmitted them by inheritance. There is the right of free locomotion, up to the point of interference with similar rights in others; the right of contract—of limiting our own freedom, and of having others limit their freedom in return in reciprocal engagements for reciprocal benefit in future—a right unavailing to a large extent without a government to enforce such contracts when made. On the validity of such contracts, the liberty to make them, and the security for their enforcement by competent authority, depend all marriage ties, all relations of employer and employé, all commerce, all domestic, social, and industrial progress. This right is limited, so that no contract to commit immoralities is binding, and the law requires adequate proof of the reality and intent of all lawful promises which it undertakes to enforce.

The right of association for lawful purposes is fundamental. Tyrants dread and strive to thwart it. It is capable of great abuse, as in some guilds, close monopolies, many trades-unions and communistic organizations. It can be perverted to purposes of groundless rebellion and anarchical revolution. Still it is indispensable to the progress of society, and has been promotive of those healthful revolutions without which the world had been held fast in stagnation or grinding despotism.

Most fundamental of all are the rights of worship and religious service. The right to be protected in serving God conscientiously, up to the point where perverted conceptions of religious liberty or obligation make it a cover for immoralities, a pretext for a licentiousness which invades the rights of others or the peace and purity of society, is absolute.

The state in its legislative, executive, judicial capacity, and through the agency of appropriate officers, is indispensable to the proper defining and maintenance of these and other rights, which underlie the moral order and the highest welfare of mankind. As such it is normal to man, as man, while in society on earth. It is no mere abnormality, no accidental necessity, arising solely from his fallen condition. This condition indeed enhances its necessity, while it gives rise to the imperfections in its actual structure and administration.

Its police functions and other provisions for the repression of evil-doers are so indispensable, that, in their absence, human society would be scarcely better than a pandemonium. Still, had man remained unfallen, in Paradisaic innocence, the state and its government would have been a necessity. Not otherwise can society put forth its collective energy for the common weal, as is necessary for a thousand purposes besides the restraint of the lawless and the punishment of criminals. Roadways and thoroughfares, the titles and boundaries of property, due provisions whereby all can harmoniously live together, each in the enjoyment of his own, without molestation, even undesigned, of or from others—these are needful in the purest communities, and require the legislative, executive, and judicial functions of government. Even the City of God is organized under the King of kings and Lord of lords.

Passing now from this very brief notice of the purely scientific side of political ethics, we can barely touch upon the fewest of its applications to some of the more urgent questions now agitating the public mind.

III. TAMPERING WITH THE MEASURE AND STANDARD OF VALUE—THE OBLIGATION OF CONTRACTS AND THE PUBLIC FAITH.

Thoughtful men see much cause of alarm in the apparent prevalence of the doctrine, not so much that the sovereignty of the state is the outgrowth of the sovereignty of the people, as that this popular sovereignty has for its province not only to establish and defend what is right by might, but to make that, which is in itself wrong, right by its might. This has been conspicuous in much of our dealings with the Indian tribes, and is apt to pervert much of the policy of stronger towards weaker nations, as well as individuals, in all ages and countries. Such injustice is nevertheless rarely perpetrated, except under some guise or pretext of justice, which technical and special pleading is always able to furnish.

Just at this time, however, the obvious tendency in this country is to cancel more or less of the obligations of the state to its creditors, and of all debtors to creditors, by tampering

with the very measure of value in which the meaning of all the money contracts of itself and its citizens is expressed. So far as this is done, the national faith is violated on no better ground than that might makes right. It does not differ from fulfilling a contract to pay for a thousand cords of wood at five dollars a cord, and then ordaining that a cord shall measure 148 instead of 128 feet, and that the contractor shall not be paid at the rate of five dollars the cord unless he makes that cord 148 feet. How does this differ in principle from so changing the value of the dollar meanwhile by the arbitrary fiat of the government that the five dollars which, according to the meaning and understanding of the parties at the time of making the contract, meant five gold dollars, or their equivalent, shall be paid in some baser metal or currency worth only four dollars and a half of the coin intended by the parties? Does it matter whether the measure thus stretched or clipped by sovereign might be the yard-stick or the dollar? And can any great nation stoop to such evasions of its own obligations or annulment of those between its people, or between themselves or foreign nations, without sinking that faith, honor, manhood, in which all true national strength and greatness have their being, and taking a long leap downward towards the rank of barbaric sovereignties?

The sacredness of contracts and the supreme duty of the government to see them executed, whether made by itself or its citizens, is recognized by that clause in our National Constitution which forbids any State to pass laws "impairing the obligation of contracts." Surely the nation ought to have no lower standard of morality for itself than it imposes upon the States. Nor do any pretend that it should. Morally, if the weaker is bound to fulfil its contracts, *à fortiori* is the stronger; and the great, if not only, reason why this restriction is not expressed in our National Constitution with reference to the General as well as the State governments is, that it is presupposed as paramount to and underlying the prohibition upon the latter. Possibly reference also may have been had to the fact that in the exigencies of war ordinary obligations yield for the time to that necessity which oversteps all ordinary laws. *Inter arma, leges silent*. This was the excuse for the Legal-tender Act passed during the war, compelling public and private creditors to

accept irredeemable promises to pay, for actual payment—a measure surely impairing the obligation of all contracts expressed in terms of money. It, however, seemed at the time a dire necessity. Yet we believe that in view of the immense financial and industrial derangement to which it has given rise; the glittering bubbles of speculative fortunes stimulating extravagant living; the fevered prosperity begetting subsequent unparalleled prostration; the pestilent brood of heresies in reference to money, finance, and fiscal legislation which it has begotten, and hoodwinked the nation with—it had been far better to have struggled through the war without it. It was deemed at the time a war measure, entirely abnormal and temporary, justified, like conscription into the army, only by the overbearing exigencies of the hour, and designed to terminate as soon as possible after the war, by the redemption of these notes, according to their terms, in coin, understood on all hands to be gold.

Now we propose to look at the monetary legislation which the majority of the people as represented in Congress has of late seemed to demand, with a passionate zeal, solely with reference to its ethical bearings. And these may very briefly be made to appear, not as novelties here first brought to light, but as truths which, up to our present financial epidemic, few in high places were ever found to ignore or dispute.

The great controlling principle on this subject is that, morally, contracts or promises are binding upon the promiser in the sense in which he believed that the promisee understood them, and meant that he should understand them, at the time of making them; unless through the promiser's fault, in the language or other signs of thought employed by him, the promisee might reasonably have understood them otherwise.

Now, can it be fairly questioned that the government and its agents meant and believed, and designed the purchasers of all its coin bonds to understand it to mean, bonds payable in gold, principal and interest? This was of necessity the case: (a) From the fact that silver had long been obsolete as money, except for small change, and that government had so long ceased to coin silver dollars, and from the first had coined so few, that no sufficient supply of them was in existence to

render it possible to pay interest or principal of the national debt with them. (b) From the fact that whenever in the language of the government or its officials, from the President of the United States, through all its fiscal agents, to the bankers employed to negotiate its loans, an equivalent word was used by them for coin, that equivalent word was always gold, so that they were never known, thought or spoken of otherwise than as gold-bearing bonds, and this without a breath of any hint of a contrary possibility from any officer or agent of the government. (c) From the further fact, also, that government has refused in its funding operations to accept from purchasers of new bonds any thing but gold, or to pay interest or principal of its matured bonds in any thing but gold coin. (d) Again, it has actually demonetized silver since 1873, while it has promised the resumption of coin payments of its hitherto irredeemable legal-tenders on January 1st, 1879. Payments in what coin? None but gold has been possible, or could be thought of, until the recent silver agitation. The only coin, therefore, in which bonds or other obligations, whether of government or individuals, could be conceived to be payable, after this act matures, must have been gold. Whatever, then, may be said about the circumstances of the sale of these bonds originally, such as that some of the first issues were bought at par in depreciated greenbacks, it cannot be denied that they have been bought and sold far and wide, and in vast quantities, on the faith of the government's twofold declaration embodied in its law, viz.: 1. That all money should be coin or its equivalent after the close of the present year. 2. That the only coin should be gold coin. Can the government annul these promises on which not only its own creditors, but all other creditors as well as debtors, have relied, by making, not a silver dollar of equal value with gold, but one worth nine tenths of a gold dollar, legal-tender for national and private obligations payable in gold, according to existing laws of the land? The question seems self-answering.

It is clear from Congressional votes, however, and other indications, that the restoration of depreciated silver coin is not the consummation which the great body of the so-called silver men aspire to. It is not the goal towards which they are mov-

ing, but rather a stage of progress and an accumulation of momentum in that direction. The great body of them strongly favor the repeal of the Specie Resumption Act, which means not a silver legal-tender dollar worth nine tenths of a gold dollar, but a greenback currency not redeemable even in this, depreciated, too, no one knows how much below it, but to an extent limited only by the will of a Congress having innumerable convenient projects for drafts on the public treasury, and representing a constituency fully imbued with a belief that it is the prerogative of Congress to make money plenty by keeping its engraving presses at work. Whither another career of such speculative inflation, paper fortunes, and revelry in the intoxication followed by the utter exhaustion proceeding from such a factitious stimulus, may go, can hardly be doubted. When it will end is less evident—probably not short of spreading its desolations beyond the present century.

Already the movements initiated for begetting doubt as to the purpose of the government to fulfil its promises, according to their true intent, as it believed and intended its creditors should understand them, has had the effect to impair its credit, to depreciate its bonds in the markets of the world, to send back scores of millions of them from the old countries, in exchange for the gold which the course of trade had been accumulating here for specie payments, while yet they will command this gold. This will probably be followed, if this policy continues and is carried out, by a still larger return of all kinds of American securities held abroad, to realize what they may in this country before a still more ruinous decline follows fast upon the decline of public credit, in the decay of which all private credit also dies out. This will abstract from this country the capital so greatly needed for the sustentation of labor, the revival of prostrate industries, and the restoration of business activity. These movements for unsettling the money standards are upsetting all financial and business standards, begetting distrust, and, so far from stimulating new enterprises, are casting uncertainty and depression over existing enterprises. They weaken that confidence in the government, in the future, between man and man, which is the very atmosphere in which all enterprise and business live and move

and have their being. Thus the little saved to the nation by even the proposed indirect scaling of its debts is a thousand times overbalanced in the weakening of its credit, the increased cost of all its loans, and the loss of power to make them in those great struggles when unshaken credit and power to borrow are essential to its strength, life, and glory.

The disastrous effects of such proceedings upon the private business of the country are sufficiently apparent, and will rapidly become more so. This is only an application to states and communities of the maxim that "the way of transgressors is hard." The ethical ground of the obligation to rectitude on the part of states and communities, as well as individuals, is itself sufficient and conclusive. But it is none the less so, in view of the terrible enforcement it receives from its disastrous consequences, justly visited upon evil-doers. The spirit of repudiation, so rife, like a leprosy in our land, is among the portents of the times.

All this, too, has a closer kinship with that Communism which, partly imported from Europe, and partly fostered here, showed its fangs and its venom in the riots of the railroad strike last summer, in a form and degree alike unexpected and appalling. The profound impression then made upon thoughtful minds, of the gripe which this monster may at any time put upon the veins and arteries, the very throat of the body-politic, and of the likelihood of more destructive outbreaks in future, is in danger of passing away quite too soon. The disposal of debts, public and private, by a total or partial repudiation of them on slender pretexts, is a part of the process of distributing among the masses the property due from States and municipal corporations to the creditors from whom they have borrowed.¹ The immense debts which are now crushing counties, towns, and especially cities, have been incurred by the votes of those

¹ The project, which bids fair to succeed, of reducing or removing the tax from whiskey and tobacco, and making up the loss by a tax on the incomes of those who have paid all other taxes, while many of them have been crushed by their excessive weight, looks in the same direction. It is stripping the thrifty and provident of a considerable part of the residue of their savings left after other oppressive taxation, to foster those worse than useless indulgences which have done more than all else to cause the present widespread impoverishment and destitution.

without property, who do not pay taxes, and who in this way seize, or enable the demagogues who lead them to seize, by taxation, the property of those who do. This has gone on until the rate of taxation necessary in many cities to meet current expenses, and pay interest on their debts, eats up a large share of the income of productive property, and amounts almost to the confiscation of that which is unproductive. Thus in New York City a tax of nearly three per cent on the hundred dollars leaves but about two per cent income on a five per cent investment. And first-class State stocks, taxable too, are easily placed at five per cent. Now, these enormous city debts have been accumulating even in the most wealthy and conservative sections of the country, and have arisen in extravagant and wasteful expenditures, sometimes for necessary improvements, sometimes for unnecessary jobs, but always at needless cost. Sometimes they have been taken in direct and systematic plunder. In almost all cases the funds of such cities have been consumed, not only upon necessary outlays, but in extravagant wages to voters "of the baser sort," paid at the instance of the demagogues, who thus secure their votes and make them their tools, while they themselves swell their gains by the rich contracts or large percentages which they can covertly procure. The more thoroughly this matter has been studied by competent men, the more certainly they have come to the conclusion that the evil admits of no remedy but that of giving, in some way, at least a veto power over expenditure and taxation in cities to the taxpayers. To this extent universal suffrage must be abridged in cities to save them from the peril of being swamped by the enormity of taxation in the mire of repudiation. That select commission of the choicest men of both political parties, appointed by Governor Tilden to devise a proper municipal government for New York City, came to the conclusion that no remedy for wasteful and ruinous public expenditure could be found but in municipal legislative organization, one branch of which is elected exclusively by taxpayers, and has a veto on all measures of expenditure and taxation. A constitutional amendment to secure this change is now in process of submission to the people. Dr. Woolsey repeatedly and emphatically insists on the necessity of some provision of this sort, to prevent the commu-

nistic spirit of the ignorant and vicious stratum of our cities from sooner or later bringing them to ruin by a communistic extravagance of taxation, which either destroys property or renders it valueless, as well as the business which underlies it, and which itself gives birth and being to cities. But he is evidently more impressed with the necessity of this remedy, than sanguine as to the prospect of gaining it; yet he shows very conclusively that there is no inherent right in any of exercising suffrage more than of holding office, and that the proper criterion for investiture with either is fitness for it; that there is no reason why minors and women should be excluded from voting, which does not apply much more to the dregs of our city populations, whether foreign or home born. What evil could arise from making ability to read and write, along with freedom at least from drunkenness, a requisite for the franchise? How would even this go far to reform civil service, and purify the stagnant pool of political corruption?

Very much of the evil referred to is accomplished through party organization, by which indeed most of the good as well as evil under our form of government is effected. Dr. Woolsey makes some sagacious observations as to the duties of the good citizen with reference to adhering to one or the other of two political parties. He does not believe much in third parties, unless in occasional and exceptional emergencies. In this we agree with him. He does not believe that the best men, however much exhorted to do so, are likely to attend caucuses very much, or that, if they do, they know how to handle them successfully. He thinks their influence more potent if, belonging to one of the two great parties, and ordinarily voting with it, they make it appear that they will refuse to vote for unworthy men or bad measures, by whomsoever commended. A few hundred, and especially a few thousand, men attached to both political parties, but movable from each in favor of good candidates and against bad ones, can unquestionably work wonders in purifying politics.

IV. STATE SCHOOLS AND RELIGION.

The morality of the state is closely implicated with its duties in respect to the education of its youth. How far

should the state be an educator? How far should it impart a moral and religious education? Should it require or permit the use of the Bible, or any kind of worship, or the inculcation of any moral or religious tenets, in its public schools? These are among the vexed questions of our day, both in this country and England. They did not become serious here till a large infusion of Roman Catholic people, coming among us, became restive under the simplest non-sectarian religious exercises in the public schools—while they refuse to be comforted if the schools are completely secularized, and cleared of every thing religious. They claim, by no means to their discredit, that such schools, being Godless and Christless, do not adequately educate their children.

Various modes of solving this problem have been proposed, some of which are in their nature impracticable. One of these, if correct, is a short cut towards a conclusion of the whole matter. It is, that the reading of the Bible, and any form of prayer or singing of hymns, in the schools organized and supported by the state, makes the state a teacher of this particular sort of religion, in derogation of any different sort. This is claimed to be in violation of those provisions of our National and State constitutions which forbid the passing of any "law respecting an establishment of religion, or prohibiting the free exercise thereof," or favoring any sect or sects beyond others. Now it is beyond question that it is contrary to the letter and spirit of our National and nearly all State constitutions, the genius of our institutions, and the spirit of our people, that any favor should be shown by the state to any religious denomination, beyond affording it the legal protection given to all.

But this was not construed to mean, before the vast Catholic immigration hither, that the Bible, which is the foundation of all Christian sects, could not be read in public schools, or that they might not be opened with prayer, or that the children might not be taught the moral or even simple Christian virtues. Nor has it ever been construed to mean that Congress, the army and navy, the military and naval schools of the nation, or the prisons, reformatories, insane asylums, of the States, should not have chaplains, and these accredited ministers of some Christian denomination ; or that their legislatures and

courts might not be opened with prayer. But this has not been understood to import any union of church and state, or espousal or support of any religious denomination by the state. It is simply saying that those who enter the service or become wards of the state, have, like other men, immortal natures, and that they shall not, because under the control of the state, be robbed of the proper aliment of immortal beings.

We do not see that the constitutions, State and National, which forbid church and state, and religious establishments in every form, have thereby forbidden any such recognition of God and his holy Word by the nation or States as is the very basis of all forms of Christianity, and disowned only by atheists and infidels. We are not now saying, nor do we here contend, that our political system, as embodied in written or unwritten constitutions, does in any of our States expressly require such religious exercises in the educational, civil, military, or naval departments of the State. But we maintain that it does not exclude or prohibit them.

And this seems to us indisputable, because they have been construed not to be prohibitory of religious and Christian exercises, to this extent, in these educational and other spheres exclusively instituted, sustained, and controlled by the state. They were not at first so understood and applied judicially or otherwise, nor have they been since so understood and applied in the ongoings of the national life. The non-sectarian and anti-church-and-state articles of our political constitutions found these moral, religious, and Christian observances in being in institutions exclusively created and controlled by the state. They were not understood on any side to disturb or interfere with or render improper these exercises, or furnish a ground for their exclusion. This was especially true of simple religious exercises in public schools supported and controlled by the state. Wherever the decided majority of the people has desired or consented to these exercises in the public schools, there has been scarcely a thought or suggestion, prior to some recent controversies, of its being expressly or impliedly forbidden by the anti-church-and-state and non-sectarian principles of our political system. But the continuous judicial and prevalent historical interpretation of any constitutional provision is its

true meaning, as adopted by the nation. The conclusion, therefore, is, that in districts where the decided majority of the people desire the opening of the public schools with prayer and the reading of the Scriptures, no principle of our Constitution or political system, rightly understood, forbids it. Any other ground, consistently followed out, would consign our army, navy, with their training-schools, also our prisons, reformatories, and asylums, to an atheistic régime, "without God in the world."

And if there be no serious trouble, as there rarely has been, or will be, where there are no, or but comparatively few, Romanists, there is every advantage, with reference to the very ends which the state aims at in the maintenance of public schools, in keeping before the children the sense of God and their obligations to him, as set forth in his own Word. The end of the school as a state institution is to prepare its growing youths to be good citizens. It is what none presume to question, that virtue and morality, beyond all mere rudiments of knowledge, which any common-school can give without them, make men good citizens and safe voters. Nor can it be questioned that the sense of God and accountability to him, impressed in worship even the simplest, and the reading of his Word, if it be only the Decalogue, or the Sermon on the Mount, is of inestimable value in deepening all moral convictions and impressions, and invigorating the conscience, the great witness for God, truth, and righteousness in the soul. Nor is it enough to say that all such impressions and convictions are more effectually wrought elsewhere, at the home, the church, and Sunday-school. In these things men, and especially children, need constant iteration, line upon line, precept upon precept, here a little and there a little.

Not only so; but large numbers of children receive no proper moral or religious instruction elsewhere. Even the very rudiments of religion are of moment here. It has been well said that he who knows the first verse of Scripture, "In the beginning God created the heavens and the earth," knows more than Plato or Aristotle. The Constitution of Massachusetts pronounces it the duty of teachers of schools to impress on the minds of youth "the principles of piety and justice, and a

sacred regard for truth; love of their country, humanity, and universal benevolence; chastity, moderation, and temperance; and those other virtues which are the ornament of human society and the basis upon which a republican constitution is founded; and it shall be the duty of such instructors to endeavor to lead their pupils, as their ages and capacities shall admit, into a clear understanding of the above-mentioned virtues; to preserve and secure the blessings of liberty, as well as to promote their future happiness; and also to point out to them the evil tendency of the opposite vices.”¹ So the Bill of Rights of the State of Ohio declares: “Religion, morality, and knowledge, however, being essential to good government, it shall be the duty of the General Assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction.”² Indeed, what in comparison with this is all mere rudimentary education if isolated from it? Is not the argument against any recognition of the Bible and the God of the Bible, equally good against any recognition, if not of nature, certainly of the God of nature, or that

“The spangled heavens, a shining frame,
Their Great Original proclaim”?

And has it come to this, that our public schools are to disown the very name of God, and sink into the mire of atheism, because otherwise the believers in Christianity or deism will have some advantage over the atheist, whose convictions against religion are equally to be respected with those of religionists? But we must stop somewhere. We must take something as so evident and ultimate that it is presupposed as the condition of all union of men for social and educational purposes. And if there be any thing of this sort, is it not the being of God? Says Dr. Woolsey (vol. i., p. 230), “Is not the atheist wronged by a system of morals resting on the doctrine of a holy and merciful God? But there must be some ultimate truth admitted, and *de minimis non curat lex*.”

¹ “The Bible in Public Schools,” p. 325.

² *Id.*, p. 358.

But if we come to ignore God in our public schools, we can scarcely, in logical consistency, end there. Are there not those who disbelieve in any proper moral obligation, or that there is any such thing as virtue beyond devotion to mere self-interest, pleasure, and avoidance of pain? whose creed is that of mere Epicurean materialism, "Let us eat and drink, for to-morrow we die"? whose convictions are therefore violated by any inculcation of morality, or any appeal to the moral natures of their children? But how shall any school be conducted and properly governed in which there can be no appeal to the conscience, or standards of right and wrong; and no insisting on veracity, fidelity, honesty, purity, kindness, or avoidance of the contrary sins? And what is a school in which there can be no recognition and inculcation of the moral virtues, or enforcement of them by reference to an all-seeing and righteous God, but a seminary of—shall we say what?

Yet it seems to us that, if inexorable logic compels us to expel the Bible and non-sectarian exercises of religion and worship from public schools, in order to avoid taking any advantage over those whose beliefs are anti-Christian or anti-religious, they constrain us to go this length.¹ But when our logical deductions

¹ A highly respectable criticism of Dr. Woolsey's work, in the *N. Y. Evening Post* of February 14th, objects to his founding the state's right to punish crime upon its ill-desert, that this is a theological tenet, and is taking the state beyond its sphere to adjudicate theological questions for its people—precisely the argument of those who would banish the Bible from public schools because the state thus takes sides between opposing religionists. Unless accompanied by the doctrine that "this is not a world of retribution," the critic claims that we "cannot keep the theory [that the proper ground of punishment by the state is the ill-desert of crime] from leading directly to the doctrine that the state is all that any church ever pretended to be; that it is empowered to prescribe by positive enactment religious and moral conduct—to decide, that is to say, what is and what is not morally wrong in conduct." . . . Strictly, political science would say that if the state has a right to exist as a state and for state purposes, it has a right to protect itself and to fulfil its functions; because the right to exist, as against all other existences, is simply the right to preserve itself from destruction by the use of necessary means of self-defence. If the right to establish a state is granted to men, if states have a right to be states, it may be safely asserted, and that without resorting to the Machiavellian theory that all means to an end are justifiable, that they have a right to do all acts which are necessary to their preservation, and more especially when the only possible adverse right invaded in doing those acts is that of a person whose conduct is inimical to the

from some single principle push us to such extremes as to minimize the moral element in education or something worse, is it not time to inquire if there be not some flaw in the chain of deduction, or some oversight of accompanying or qualifying truths, which must be allowed weight? Some say, follow your logic remorselessly, if it hurls you "down Niagara." But is it not wiser to pause and consider whether there may not have been some misapplication or perversion of your logic, that it should keep you to that single current that will carry you down hopelessly into the "hell of waters"? Better than keep to this single current, find the place where "two seas meet," and bring us to a safe shore, even if it be on the broken planks and timbers of our stranded ship. The one drift is that of non-sectarianism in state education; the other is that of our proper humanity, whereby, besides being animals, we have a rational, moral, and accountable nature. This cannot be overlooked or ignored in any mode of education, public or private, fitted for human beings. Some men may dehumanize themselves; the fool may say in his heart there is no God; but is that a reason for the state's adopting a method of education for its children which discards or ignores the crown of their humanity? For so is man made in the image of, even in bonds to his Maker, that it has been most aptly said, that "as a dog is in a state of unrest

well-being of a state from which he has received protection. Dr. Woolsey's difficulty in accepting this as a sufficient foundation for the punitive power of the state grows directly out of his theological conception of the state's origin, function, and authority. He constantly treats the state as in some sense a divine institution, set up by men in obedience to a divine prompting, and for the execution of certain divine purposes; he nowhere says precisely this, but this is manifestly his point of view."

According to this, any moral judgment with corresponding action on the part of the state, or in its educational institutions, is a usurpation of theological and church functions, and trenches upon the equality of all religions and moral systems before the law. Such are the consequences, it seems to us, to which the complete secularization of schools, in order to keep them non-sectarian, runs—not very far from running into the ground. The fallacy of some arguments is best shown by the *reductio ad absurdum*. The only justification left, on this view, for punishment is expediency, whether it be just or not. This is the alternative to the infliction of punishment on the ground of ill-desert, which is rejected as *theological*! And is this the grand reformation in teaching and administration, coveted for our public schools?

without his master, so is man in a state of unrest without his God."

It is noteworthy, too, that the state does not hesitate to punish certain offences against God and religion. Blasphemy, perjury, violation of burial-places, sacrilege, sorcery, witchcraft, religious imposture, Sabbath-breaking, are noted by Dr. Woolsey as in this category. However we may adroitly reason that this is done because they are offences against social order rather than religion, it is impossible to question his concluding comment: "On the whole, while laws against irreligious acts notice them in part on account of their human evils, I cannot help finding in them another element, proceeding from religious feelings themselves, from reverence for the Divine Being irrespective of their injury to human society. Man, in his legislation, cannot get rid of his sentiments; even in the later attempts at legislation, when the limits are more exactly drawn between that which is injurious to society in some specific way, and that which is sinful, the sentiment will assert its right in defining crime [or enhancing punishment." (Vol. ii., p. 513.) And if the state cannot avoid some proper regard to the religious sentiment, in its legislation which defines and punishes crimes against God and religion, can it avoid recognition of these things when such crimes come into view in the school?

Thus we have considered the subject so far as to find that the non-sectarian and non-religious establishment part of our political system does not exclude the Bible and worship, in the non-sectarian use of them, from our public schools; and that when the decided majority of the people favor the introduction of the simplest elements of religion as before mentioned, there is every advantage in doing it, and great evil in not doing it. Meanwhile we must not omit to say, first, last, and always, that all religious exercises should be so timed in the school as to give the fullest opportunity for those children whose parents desire it, to be absent from the religious and present at other exercises of the school.

The gravamen of the question, however, not as to principles, but the application of principles, yet remains to be considered. It is admitted that our political constitution, while it does not forbid, does not require the use of the Bible in the

public schools, although the history and genius of our institutions are more in harmony with such use than otherwise. This has been the prevailing usage in our country, except so far as it has recently yielded to the demand of the Roman Catholics, Jews, and infidels, where they are sufficiently numerous to make themselves felt with power. Here great difficulties and serious conflicts have arisen, often with the result of thrusting out from our public schools the Word and worship of God, which had the prescriptive right of possession and established usage. It is to be said withal—and this satisfies many minds—that, by coming among us who are historically a Christian and Protestant nation, Jews, Romanists, and infidels consent to take us and our institutions as they find us. If not content with this, they could have gone elsewhere. The Irish Catholic could have gone to Rome and found what could have been done for him there. All this is doubtless in a sense true. But inasmuch as we have encouraged this immense immigration of foreign Catholics and others, and have been in haste to confer the rights of citizenship and suffrage upon them, and so to make them a tremendous power in the politics and government of country, national, State, municipal, and, above all, in the school district or society; and inasmuch as we support these schools by taxation of all the property-holders, Catholics included, it is idle to say that they have not become a power that can neither be ignored nor disregarded. If we conceive the relative positions of the parties to be reversed—that the Catholics had been historically before us, and had conducted the public schools after their own religious system—we should probably feel that we ought to have some voice, if we were taxed to support them, as to whether they should be continued on a basis so obnoxious to us. In towns and cities in which they are in a majority or large minority at the polls, they cannot be ignored, and will make themselves felt. They are opposed to the public schools, because they object that without any religious exercises they are godless, and unfit for the proper teaching and training of children, which ought to be not merely secular, but religious also. And they consider the mere reading of the Protestant Bible, which they regard as incorrect in its translation, or of any Bible without exposition by com-

petent religious teachers of their own church, as wholly misleading, and injurious to the religious welfare of their children. They, of course, demand the exclusion of Protestant religious worship and Bible-reading, even though it be only the Ten Commandments, the Sermon on the Mount, the Lord's Prayer, and this in Douay as well as Protestant version. In short, the one thing that they want, and insist will alone satisfy them, is, that they be permitted to receive their portion of the public-school moneys, and apply it to their own denominational schools. Besides fear of improper religious teaching, they profess to fear the free association of their own with Protestant children. As their children are proportionally much more numerous, and their property less than those of Protestants, the result of this would be the taxation of Protestants on a large scale to teach children Romanism—not merely what principles are common to Christian bodies, but full-fledged, distinctive Romanism. Of two things, however, we may be certain: first, that the state will never support denominational schools by taxation; next, it will maintain its common-schools on a footing which makes them fairly available to all who do not exclude themselves by insisting on unreasonable conditions of accepting their privileges. To sustain denominational schools with state funds collected by taxation of all, is undoubtedly to trench upon the non-sectarian principles of our political system. It tends to the permanent social and political division and isolation of our people from each other in mutual distrust, by lines of sectarian demarcation. It would sustain by state support multitudes of schools too small to command competent teachers. Every way, if this system were to be adopted, the public-school system were as well abolished, and the education of the people remanded wholly to themselves and their respective religious organizations.

The true solution of the problem presented by this antagonism of large numbers of Catholics, not exactly to any prayer or Scripture-reading in the schools, but to any except in their own peculiar way, is not, in our opinion, unless in very exceptional cases, to banish the Bible from these schools; but to fix a brief time before the commencement of regular school work, for these simple exercises, which none are required to attend whose

parents do not desire it. This, too, not only because of the direct profit of such exercises, but because the banishment of the Protestant Bible from its historic place of honor in education is, in appearance at least, symbolical of its declining hold of the people. But we would also arrange school hours and recesses during the week so as to afford opportunity to all religious denominations to give such instruction in religion to their children as they may desire. Who then could complain?

There is force, if not absolute conclusiveness, in the argument that we are historically a Christian and Protestant people, with a correspondent Christian but unsectarian civilization, and with institutions, manners, and usages which are its normal outgrowth. These have been found in established possession here by those of other faiths or no faith who have since cast their lot among us, and by doing so have taken us as they find us. We do not say that this establishes them irrevocably against all change of circumstances, and of the elements of our population. But we do say that it establishes a strong presumptive and prescriptive right, which holds its own till decisive reasons appear for dislodging it. There is a sense in which we are historically a Christian, and in a less degree Protestant, nation; not, indeed, by any declaration of our organic constitutions, but by the actual belief and adoption of the rites of Christianity on the part of the great mass of the people, as seen on the solemn occasions of life and of death. The Christian rites at nearly all weddings and burials, the public fasts and thanksgivings proclaimed by our chief magistrates and observed by the people, the Bibles, sanctuaries, and Sabbaths cherished by them, proclaim that in substance, life, faith, manners, not without great drawbacks indeed, but still, as compared with being an atheistic, infidel, heathen, we are a Christian, and both predominantly and historically, a Protestant nation; but a nation that gives equal rights and privileges to every religion that does not, under that holy name, invade the peace, purity, and order of society by its crimes or orgies.

We must notice, in conclusion, the fact that an increasing number of Christian people, including some of the most eminent laymen and ministers of our church, are beginning to avow the opinion that the co-education in the same schools of all the

children of Protestants, Catholics, Jews, and infidels is so important in order to the social and political unity of the people hereafter, and to prevent the formation of permanent separate clans, divided by enduring religious antipathies, that they are ready to surrender the use of the Bible in the public schools when necessary in the interest of this co-education. Whether such a sacrifice would secure the attendance of Catholic children at our public schools, and away from their own church schools, is not evident. It is supposed, however, that it might remove one plausible pretext for non-attendance.¹

It is quite evident that such colorless non-religious education can only be the most rudimental; that which gives the forms and instruments for acquiring knowledge, more than any content of knowledge of actual being, under these forms—spelling, reading, writing, arithmetic. These give the means of acquiring knowledge, but not *per se* any facts, doctrines, or principles. Yet, how is it possible to learn the history of Christendom, or any part of it, especially our own country, and ignore the religious forces and forms of Christianity that have been so potent in shaping this history? The secularizing of the public schools must confine them, as they should be confined on other grounds, to the most elementary instruction. Hence a proper state university for advanced education becomes an impossibility, not only as being unable on religious grounds to teach history, but

¹ Dr. Woolsey sums up, as we suppose, the views of the class just referred to, in the following language :

"If . . . the number of complainers is great, I would without hesitation advise the giving up of the Scriptures as a reading book for the sake of peace, and the more readily because it will always be read in a perfunctory, unintelligent way. But further than this we ought not to go. The state ought to do nothing to break up the communities into factions with different educations; its object is to produce unity and common feeling everywhere. If separate schools were allowed for the Catholics, Protestant sects would follow, and we should have strictly sectarian education, the evils of which would spread far and wide over society. If, again, the Catholics would be content with having their children allowed to be absent from reading of the Bible, or from school prayers, or if their priests should wish to have a time given during the week, at the school, for religious instruction, I do not see how any serious objection could be offered. In regard to the main question, it seems certain that neither sectarian schools will be paid for by the money of the state, nor that the system of common-schools will be given up." (Vol. ii., p. 412.)

also from a like logic of sects almost as stringently debarred from teaching science. Says Dr. Woolsey (vol. ii., p. 408), "What right has the state to permit a man to teach a doctrine of the solar system which rests on atheism, if theism and revelation must be banished from the scholastic halls. Why permit evolution to be publicly professed more than predestination?"

LYMAN H. ATWATER.

DUALISM, MATERIALISM, OR IDEALISM?

IN a living human body, viewed objectively, there are manifested two distinct classes of phenomena, which are recognized in every language as perfectly distinguishable from each other, being in fact so unlike that they have not a single feature in common. These are, first, merely *physical* appearances, all of which are reducible to modes of extension and motion, and which are witnessed or made known to us only through the corporeal organs of sense, chiefly through sight and touch. Secondly, there are the *psychical* phenomena of cognitive perception, feeling, and volition, which are not, in themselves or under their first and obvious aspect, modes either of extension or motion, which cannot be even imagined or conceived as such, and are not manifested through the senses, but are made known to us in the first instance solely through that internal power which we call consciousness. Because these two classes of phenomena are so unlike,—unlike both in their nature and in the sources or agencies through which our knowledge of them is obtained,—the common opinion of mankind attributes them respectively to two entirely distinct substances or entities, called Body and Mind, or the conscious Self. The distinction between them is even so obvious, that it is recognized in every language; and the knowledge of it therefore precedes speculation, and is anterior to all science and philosophy; for language is the expression and record of the primitive observation and unprejudiced common-sense of mankind.

These two classes of phenomena are further distinguished as being external or internal to him who observes them. The former, the physical phenomena, are supposed to be *out of us*, and

are known only through the motion which brings some portion of the external matter in contact with our organs of sense. The latter, the psychical phenomena, are *within us*, and are cognized directly, and without any apparent motion, and without the intervention of any corporeal organ of sense, by that indivisible being whom every one calls Himself. Again, because the physical phenomena are external, and are cognizable through the senses, each of them may be witnessed simultaneously by many independent observers; the whole audience of a speaker may behold his gestures and hear his uttered words. But the psychical phenomena, the action of that speaker's mind, cannot be observed by any person but himself. We who hear him know what he says, but we cannot, except through his report, know what he thinks. As Cardinal Manning says, "No one outside of us knows us as we know ourselves within. St. Paul asks, 'What man knoweth the things of man but the spirit of man that is in him?'" Still further, the physical change itself can become known only through a psychical attestation of it, the observer being distinct from the fact observed. But a psychical phenomenon, so to speak, witnesses itself by an act of consciousness, and thus supplies the only possible evidence of its own existence. Thus, the color of the sky, the fragrance of the rose, the heat of the fire, are nothing to me, and do not even exist, except as perceived by an act of my mind; but that act of mind is a conscious one, the knowledge that it exists being inseparable from the fact of its existence. All physical phenomena, moreover, because they are modes of extension and motion, consist of parts external to each other, *partes extra partes*, and so are complex and divisible without limit, an absolute unit either of space or time being inconceivable. But a state of consciousness, be it a perception, a feeling, or a volition, is properly indivisible, having no relation to space and no proper duration in time, being complete and fully determinable in character at the first and only moment of its being, what is called its "continuity" being only a succession of its repeated acts.

The distinguishing characteristics of the two classes of phenomena, so far as they have been thus analyzed, may be conveniently summed up in a tabular form.

PHYSICAL.

1. All are modes of extension and motion.
2. They can be observed only through the action of the senses.
3. They are external to the observer.
4. Each may be witnessed simultaneously by many observers.
5. What is physical can be known only through what is psychical.
6. The observer is distinct from the fact observed.
7. They consist of parts external to each other, and are therefore divisible without limit.

PSYCHICAL.

1. None of them can be conceived either as extended or as moving.
2. They are never cognizable by the senses, but are witnessed solely by consciousness.
3. They are internal to the observer.
4. They can be immediately known only by the one person who experiences them.
5. What is psychical is known *per se*, the phenomenon being its own attestation.
6. The act of observing and the fact observed are one and the same thing.
7. They have no distinction of parts, and so are indivisible.

Now the great question which we have to consider is, whether these two classes of phenomena are manifestations of *two* coexisting and perfectly distinguishable substances, entities, or things lying behind or beneath them, these two being designated respectively as Matter and Mind, or the thinking Self; or whether they are only two aspects of *one and the same* entity or substance. In other words, is man a *dual* being composed of Body and Soul, these two acting, for a while at least, together and in concert, or is man really *one* in his inmost nature and being; this one, according to the Materialist, being only *relatively* one, a mere aggregate of various sorts of matter a structure curiously put together of chemical atoms; or, according to the Idealist, being mind and mind only, and so absolutely simple and indivisible, what we call our Body being a mere shadow, form without substance, a mental picture existing solely in the mind and for the mind? Here issue is joined; this is the whole question, than which a graver and more pregnant one cannot be stated. Dualism, Materialism, or Idealism, —which will you adopt?

It is curious that the answer to this question depends very much on the person respecting whom it is asked. If you ask it

respecting any other man than yourself, and confine your attention entirely to what *you* directly know of him, then you must accept the doctrine of Materialism. To you, any other man appears as one body among other bodies, a mere aggregate of atoms, manifesting only physical characteristics. For all that you immediately know of him, he may be a mere automaton, like Maelzel's chess-player, making gestures and uttering sounds indeed, though, apart from the purely conventional significance which you see fit to attach to them, those gestures and sounds have no more meaning than the flapping of a windmill's arms and sails, the notes sounded on a flute, or the screeches of a locomotive. Viewed from the outside, which is all that is accessible to sense, man is only a forked radish, with a head fantastically carved. Hence Descartes, regarding animals only externally, concluded with perfect justice that they were mere machines, destitute of feeling, and therefore that there was no cruelty in beating them, or even in dissecting them while still apparently alive. Reasoning in like manner, another philosopher propounds this grave question: Suppose a skilful mechanic, as much excelling a Vaucanson or a Maelzel as either of these excelled a common carpenter, should construct a wooden figure perfectly resembling my footman, dressed in the same livery, and performing with equal adroitness every menial task that was required of him; should I be able to detect the cheat and perceive that an automaton had been substituted for my servant? Certainly not, I answer; though perchance a doubt might sometimes occur, whether the mechanical, and therefore exact and unvarying, obedience rendered to my commands by this eidolon was not more than could be reasonably expected of any but a superhuman footman. I might suppose that he was *above*, but never that he was *below*, humanity.

On the other hand, whoever puts the question as referring exclusively to *himself*, must receive just the opposite answer. According to all the evidence which is *here* available, every man is to himself purely an ideal being, and all around him is ideal. Matter comes not near him, does not enter into his composition, does not even exist. As already stated, what is physical can be known only through what is psychical. You and all other men, my own body included, are mere impressions made

upon my mind, mere pictures floating before my fancy. Sun, moon, and stars are nothing to me, except as bodiless images reflected in the glass of my consciousness. Perhaps I dreamed of you last night, and as personages in that dream, you were certainly unreal or immaterial. Who will give me any valid assurance that I am not merely dreaming of you now? As Leibnitz said long ago, "It is only by what is within us, that we have any knowledge of what is outside." At the best, the existence of matter as such is only an inference; it is never known immediately and in itself, but we infer that it exists as the unknown cause of the sensations in our minds. All that we do know immediately, as distinct from our consciousness, is the presence of a resisting Force, a Power not ourselves, with which we come directly in contact when we strike hand or foot against what is outside; and this is enough to assure us that we live in a real world, peopled with beings like ourselves. But that this foreign agency, this resisting Force, comes from dead and inert particles of matter is a mere figment of the imagination; it is a crude and baseless hypothesis. Hence there is a contradiction in assuming, as Kant does, that both external and internal presentations to consciousness have merely *phenomenal* truth, both in the same manner and to the same degree. For the phenomenal truth of what is physical presupposes the real truth of what is psychical, the former being known only through the latter; that is, if the psychical event were not a real and direct presentation to consciousness, the physical phenomena would not even appear. I may reasonably doubt whether the picture in my mind correctly represents an external reality; but I cannot doubt that this mental picture itself is an internal reality, for its presence is immediately attended by consciousness. To adopt a parallel case, the accused would not even *seem* to be guilty, if circumstances and witnesses did not *actually* testify against him. As Leibnitz remarks, "There may be intelligible reason for error in our mediate and external perceptions; but if our immediate internal experience could possibly deceive us, there could not be for us any truth of fact whatsoever."

This distinction between the immediate apprehension of reality and the merely phenomenal presentation of it becomes more important when we pass from qualities to the substance or

thing in which those qualities are supposed to inhere. The substance of Matter is not even phenomenally apprehended. It does not even *appear* to be. It lies hid behind an impenetrable veil. So far as our knowledge of it is concerned, Matter is only what is supposed to be contained in a husk or shell, which, as it can be looked at only from the outside, may be empty for all that we know. We cannot crack the nut, so as to ascertain whether it is full or void. All its qualities are manifested merely at its surface, and can never be known to be more than skin-deep. Of course, what we term *Body* can be indefinitely subdivided. But the atom is the ultimate element of matter, Body being merely an aggregate of atoms, each of which, as its name imports, is absolutely indivisible and absolutely hard. After all, the atom of the chemist is a mere conception of the mind; it is too minute to be separately apprehended by the senses, and is properly thought only as form without substance. Hence it is but the ghost of matter, and that which is exclusively constituted from it by mere aggregation is equally unsubstantial.

On the other hand, the substance, here called the Subject, of psychical phenomena is manifested directly and in itself, through the same indivisible act of consciousness by which I apprehend its successive states or attributes. That sentient and thinking Subject, which every one calls "I," or Self, is an indispensable factor in every immediate presentation to consciousness. A sensation or thought is nothing to me except so far as I am conscious of it as *mine*,—that is, as the state or condition in which I exist for that moment. What I am directly conscious of is not an abstraction, such as a sound or a color, but the concrete fact, "I hear the sound," or "I see the color." Neither the sound nor the color exists, as a present reality, if it is not now perceived; and it cannot be perceived, except I am conscious of Myself as perceiving it; for there is no perception without a percipient, no action without an agent. As already remarked, I have not a phenomenal, but an immediate and intuitive, knowledge of the existence of the sensation; and from what has now been stated, it necessarily follows that I have an immediate and intuitive knowledge of Myself as sentient, instead of having merely a phenomenal cognition of that Self

through its manifestations, or an indirect assurance of its reality by inference from other cognitions.

Still further; I not only know *that* it is, but also, to a considerable extent, I know *what* it is—namely, that it is absolutely one and indivisible, and that it is identical with itself throughout its successive manifestations. I know it as absolutely one and the same being under all its variety of aspects, and in all the remembered stages of its existence. On each of these points, we have the distinct and irrefragable testimony of conscience as well as of consciousness. No one ever attempts to divide and parcel out his responsibility for any act, either as between different portions of Himself at the same time, or between a past and a present Self as distinct beings at different times. This indeed is the proper idea and significance of what we call Personality, that it is constituted by the unity, continuity, and identity of our conscious being. It is only by a figure of speech, and that a somewhat strained and unnatural one, that we ever speak of a former Self as contradistinguished in any way whatsoever, except as acting differently, from the Self now present to consciousness. Usually, when we compare one thing with another and find that they perfectly resemble each other, we *say* that they are not different, but the *same*; but what we *mean* is, that they are merely *similar*, not that they are numerically the same. Only in this figurative and limited sense do we say, for instance, that the speaker uses “the same” gesture, or utters “the same” word; of course, they are not numerically the same, each being the result of a second and distinct act of muscular exertion. But it is only by a metaphor that I speak of comparing my former with my present Self. There is really no comparison in this case, since what are called *two* are immediately and intuitively perceived to be one and the same, numerically the same, though present at two separate times. It is a necessary and intuitive recognition of oneness of substance,—of the absolute identity of the agent in two distinct acts. That the child is father of the man, is but half the truth; so far as memory extends, the child *is* the man, with a common consciousness and an indivisible responsibility. Call up any distinctly remembered act of your childhood, perchance a repented one of wilfulness, petulance, or sin, and try to convince your-

self that you are not the same being who did it, but that it was the act of another Self; or even that you are only in part the same, and in part different. You cannot do it. The intervening years have indeed enlarged your knowledge, altered your habits, and increased your powers; but the piercing eye of consciousness reveals instinctively and at once, under these phenomenal changes, the unbroken continuity and identity of your inmost being, your real Self.

With this persistent unity and sameness of the thinking mind, contrast the incessant mutations of what appears as our corporeal organism. Physiology has proved beyond all question that my body is kept up only through a constant process of flux and renovation. Throughout every portion of it, waste and repair, excretion and accretion, balance each other, so that every tissue is, so to speak, an embodiment of change. We cannot descend twice into the same river; no two days together do we inhabit the same body. It is true that our mental life also *seems* to survive only through a similar incessant change of its states of consciousness. But in both cases, the mutation is witnessed and measured, so to speak, by what is immutable; just as the flow of a quiet stream can be detected and estimated only by its drifting past a rock or some immovable object on its banks. The conscious Self, one and the same throughout its whole remembered history, is that which beholds all change, and without which any change would be imperceptible, but which, in itself, is as immutable as any star in the evening sky. A river of thought is perpetually flowing through our minds; but it is only the *objects* which thus flit past, like rapidly shifting images in a mirror, while the thinking *subject* is the steadfast eye which beholds them come and go. Vainly do we strive to arrest what in its very nature and essence is so fugitive. What we call the same problem, indeed, the same knotty subject of reflection, may steadily be kept in view through long hours of anxious pondering and research; but it is really not the same for any two successive moments. According to the common phrase, we are turning it over in our minds, so that it is perpetually appearing under a novel aspect, and in altered relations to the fresh collateral topics which are ever clustering around it and dividing our attention. So we may hunt the same game during suc

cessive hours or days ; but the chase constantly hurries us onward into regions hitherto unexplored, fresh scenes and incidents rising around us at every moment. The huntsman is the same all the while, the various scenes of the landscape through which he rides being all successively photographed and compared with each other in his indivisible consciousness.

The essential oneness and identity of the thinking Self are necessarily involved and presupposed in the exercise of every function of thought. The mind could not do its work, if it were merely a shifting aggregate of distinct parts ; it could not reduce plurality to unity ; to adopt the phraseology of Kant, it could not grasp together the manifold of intuition into the unity of apprehension, if the artificial and virtual unit thus formed were not a mere reflection of the absolute simplicity and unchangeableness of the thinking Subject. Logic teaches us, that the intellect is necessarily a unifying faculty. The process of cognition is always a synthesis—a putting together of many into one, through comparing the elements with each other and discerning their mutual relations ; and this is possible only because the understanding is one and the same in every portion of its work. Even the simplest act of perception is a construction of the plurality of parts and attributes of the perceived object into one whole, whereby we recognize it as coming under a previously formed concept, and therefore as designated by a name common to it with other individuals of the same class. But if the mind is itself a manifold without unity, either a mere bundle of sensations or a series of isolated thoughts, it cannot unite the *disjecta membra* of experience into an object of cognition, and thus knowledge itself becomes impossible.

Let me illustrate the necessity of this oneness of the thinking principle a little further. Even the semblance of duality must be excluded. Thus, a congenitally blind person and another who is congenitally deaf, merely because they are two distinct individuals, though their bodies should be as closely united as were those of the Siamese twins, cannot, by combining their information, come to know that a color is different from a sound. Then my knowledge that these two distinct phenomena of sight and hearing are radically unlike each other must be due to the fact that I am one and the same person who per-

ceives them both. Any two objects or two sensations, in order that they may be compared with each other, must be united in a common consciousness; and that is impossible, except on the supposition of the absolute unity of that consciousness. Hence, I can never be sure that an orange raises in your mind the same sensation of color that it does in mine; for though we agree to call it by the same name, the word *yellow* designates in either case only the peculiar sensation which each of us receives from the orange. In order to be sure that *your* sensation so designated perfectly resembles *mine*, I must not only get inside your skull and look out through your eyes, but I must be melted and absorbed into your self-consciousness; we must cease to be two and become one.

Both the doctrine and the argument here are far from new, but were clearly and forcibly presented by Plato in the "Theætetus," and again by Aristotle, from whom they were adopted by Descartes, though the physiologists of our own day seem to have lost sight of them altogether. I borrow in part Professor Archer Butler's exposition of the reasoning of Aristotle upon this point. There must be, he argues, one receptacle—a common and higher sense, which brings together the special perceptions of the several distinct senses, so as to harmonize them into one system of knowledge through discerning their mutual relations: τῶν ιδίων αἰσθητηρίων ἐν τι κοινόν ἐστὶν αἰσθητήριον, εἰς ὃ τὰς κατ' ἐνέργειαν αἰσθήσεις ἀναγκαῖον ἀπαντᾶν. "The differences of things sensible must be apprehended by sense. Yet this detector of differences cannot be any peculiar or special sense among the five external ones, for each can but perceive its own object, and none can compare with the rest: οὔτε κεχωρισμένοις ἐνδέχεται κρίνειν. It can no more be effected by distinct *senses*, than by distinct *persons*. There must then be some single faculty of sensation, the common judge of all. Nor, again, can the objects be presented to the sense in different *times*, any more than by different organs, if a single indivisible judgment is to be pronounced; the two objects must be included in the one instantaneous judgment. Only if A and B are both simultaneously present to consciousness, can I judge that A *is* B. Hence, there must exist some common centre of sensation, in which all the sensations of all the senses are received and compared."

Take now the confident assertions of the Materialists, and see how incompetent they are to grasp the fundamental conditions of the problem which they undertake to solve. "By the study of physiology," says Dr. Maudsley, "it has been placed beyond doubt" [observe the magisterial dogmatism of affirmation, *it has been placed beyond doubt*] "that the nerve-cells which exist in countless numbers—about 600 millions in number, according to Meynert's calculations—in the gray matter spread over the surface of the hemispheres *are the nervous centres of ideas.*" It is satisfactory to know that we have so large a number of ideas on hand for the furtherance of our intellectual labors, though it is somewhat remarkable that the brain of any clown, having the ordinary amount of gray matter covering it, is about as richly furnished with them as that of a Newton or a Leibnitz. With equally unfaltering assurance, Dr. Maudsley proceeds to inform us that the cerebral hemispheres "are super-added in man and the higher animals *for the further fashioning of sensory impressions into ideas or conceptions.*" But each sensation is particular and individual, representing only the one object or quality by which it is imprinted on the sense; while the idea or concept is general, standing for a whole class of objects or attributes, to each of which it bears a definite relation. Remembered experience of an indefinite number of particular things belonging to this class is therefore needed to constitute the idea; and how is such experience possible, how can many memories be garnered up in one thought, except through the unifying action of one thinking principle which originally witnessed them all? Memory is possible only on the supposition of the continuous identity of him who remembers. My testimony as an eye-witness of what took place yesterday or a week ago is admissible only on the ground that I am still the same being who beheld the occurrence. In like manner, the presence of countless ideas in my brain, each enshrined in its own nerve-cell, would avail me nothing, except so far as every one of them is distinctly recognized as *mine*, or as the phase for the moment of my indivisible consciousness. I must exert a co-ordinating power over them, discerning their relations to each other, separating and combining them, and thus elaborating them into distinct trains of thought and orderly systems of knowledge.

Otherwise, the presence in my brain of a crude mass of details mechanically imprinted at haphazard on the gray matter there, and each isolated on its own nerve-centre, would generate only confusion, and leave me just as helpless and impotent as if my mind were a blank.

One is not surprised, then, to find Dr. Maudsley, on the very next page of his book, frankly admitting that his whole theory is a blank hypothesis, without a shred of evidence in its favor. "So exquisitely delicate," he says, "are the organic processes of mental development which take place in the nerve-centres of the cortical layers, that they are certainly, so far as our present means of investigation reach, quite impenetrable to the senses; the mysteries of their secret operations cannot be unravelled; they are like *nebulae* which no telescope can yet resolve. Nor will it be thought reasonable to ask such knowledge, when we reflect that we have not yet the means of knowing the properties and structure of the molecule of any liquid or solid—what are its internal motions and what are the parts and shape of it." Then the senses, even when aided by the highest powers of the microscope, tell us nothing about what is taking place within any one of the 600 millions of the nerve-cells. *They* do not enable us to see the ideas therein contained; and even if the ideas were like colored bits of glass, perceptible by sense (which they certainly are not), there would still be needed an eye, *one* common power of vision, to behold them there. Consciousness, pure and simple, the only other organ of knowledge which we possess, surely does not teach us any thing whatever about the physical constitution of the brain. The ideas themselves tell us nothing about their local habitation within the skull. But if neither the senses nor consciousness, our sole means of information, give us any testimony on the subject, how comes it to be "placed beyond doubt" that within the gray matter of the brain are found "the nervous centres of *ideas*" as distinguished from *sensations*, and that the cerebral hemispheres in man and the higher animals are organized for the very purpose of "fashioning sensory impressions into ideas or conceptions"?

One of the highest authorities in physiology, Prof. Huxley, though he has a strong bias towards materialism, frankly admits that "there is no satisfactory proof at present that the manifes-

tation of any particular kind of mental faculty is specially allotted to, or connected with, the activity of any particular region of the cerebral hemispheres."

We understand what is said to us only on condition of remembering the earlier uttered half of the sentence while we are hearing the later half. Even if each of these halves has its separate locality, the indivisible co-ordinating mind must still bring them together and apprehend them as a unit, before the meaning of the sentence as a whole becomes intelligible; otherwise, each half might as well be whispered separately, under strict injunctions of secrecy, to the two Siamese twins.

In the seventeenth century, the favorite hypothesis for explaining the intercourse of mind with body was that of "*the animal spirits*"—fluids far more subtile than the lightest gas, which permeate the brain and swiftly traverse the conduits of the nerves, and thereby harmonize and transmit the activities of the intellect and the will. Then Dr. Hartley set forth his doctrine of *the vibrations and vibratiuncles* of the substance of the nerves, which appears still to be the favorite theory of the German materialists. Somewhat later, *electricity* travelling along the nerves, and stimulating the action of the brain, became the *deus ex machinâ*, the motive-power of the machine, and is still frequently appealed to as explanatory of psychical processes. Then Mr. Herbert Spencer applies to *chemical affinities* for an explanation of the problem, and conceives mental processes as repeated acts of resolving and reconstituting molecules in a condition of unstable equilibrium. "Nerve-centres disintegrated by action," he says, "are perpetually reintegrating themselves, and again becoming fit for action;" and hence with unhesitating assurance, though without a particle of evidence, he announces his foreordained conclusion, "we have *good reason to conclude* that, at the particular place in a superior nervous centre, where, in some mysterious way, an objective change or nervous action *causes* a subjective change or feeling, there exists a quantitative equivalence between the two." *Quantitative* equivalence indeed! But then whence comes the difference in *quality* between one thought and another; between the inspired creations of genius and the platitudes of a clown? Since the chemical see-saw of setting up nerve-molecules in the brain and knock-

ing them down again is essentially and forever the same, like atoms always forming like compounds, it ought to produce precisely the same result in a grave-digger's skull as in a Hamlet's. In fact, why should not one and the same thought be reiterated forever, since two atoms of hydrogen with one of oxygen never yield any thing but pure water? A later authority than Mr. Spencer discourses about "*the peculiar discharge of undulatory motion* between cerebral ganglia that *uniformly* accompanies a feeling or state of consciousness." But no microscope ever disclosed any undulatory movement whatever in the brain; and the doctrine of the concomitance of any such action with the processes of abstract thought is as purely fanciful as the Cartesian hypothesis of the circulation of "the animal spirits."

All conjectures of this sort are crude, unmeaning, and unscientific. They contradict each other, they are entirely devoid of evidence, and they throw no light whatever upon the problem in hand, which is the nature of the connection between the body and the mind. Of course, such a connection exists, for man is a thinking animal, that is, a dual being; and this connection takes place through the nervous system, by means of which impressions on the senses and volitions are transmitted between the outer surface and the consciousness. But dissection of the nervous system can never discover the particular point in it which is the presence-chamber of the thinking Self, such as Descartes thought he found in the pineal gland; for as Mind is not a mode either of extension or motion, it has no relation to place; and consciousness tells us that it is, in fact, ubiquitous to the whole nervous organism. It *is* wherever it acts and feels; for it is a contradiction that any thing should act where it is not—that is, should get outside of itself, or jump out of its own skin. Such action would be like that ascribed to Baron Münchhausen, who lifted himself out of the river by his own pigtail—that is, he got out of himself. Now, as long as the connection of the parts with each other remains inviolate, I do unquestionably act and feel throughout every ganglion and fibre of my whole nervous system, usually with consciousness, though sometimes unconsciously. Then I am actually present, *in propria persona*, in the tips of my fingers, wherewith I feel my pen, and write this sentence; in the nervous papillæ which line my mouth, where-

with I taste, but not wherewith my tongue and palate taste—for *they* are material and insentient, sensation proper being surely the prerogative of mind alone. Sensation is not double; my palate does not first taste, and then, afterwards and as a consequence, I taste; but I taste through my palate. Such is the testimony of consciousness, surely. In like manner, I am present in the retina of my organ of vision, where I behold colors, and not where my eyeball beholds them, for *that* is in front of the retina and distinct from it, so that it is merely my organ or telescope.

Moreover, this omnipresence of the thinking Self to its whole nervous organism is not effected through diffusion, or by partition and separate allotment, one portion of it being here and another portion there. But because it is absolutely one and indivisible, it is all in every part; it spreads undivided, operates unspent. Thus it is that the relation of the human Soul to the limited theatre of its own activities typifies the relation of the Infinite One to the universe. Each fills with an undivided presence the whole sphere of its being; "Whither shall I go from thy spirit? or whither shall I flee from thy presence? If I ascend up into heaven, thou art there; if I make my bed in hell, behold, thou art there. If I take the wings of the morning, and dwell in the uttermost parts of the sea; even there shall thy hand lead me, and thy right hand shall hold me." What is meant by the distinction of our several faculties is but a verbal difference,—is a mere convenience for classifying the successive or simultaneous acts of one and the same being. It is not my intellect which thinks, but I think. It is not my will which energizes, but I act; and I am solely responsible for the whole act throughout all time. It is not my nerves which are sentient, but I feel through them, and compel them, as my ministers, to do my bidding. It is not the eye that sees, or the ear that hears, but one indivisible spirit, Myself, which is percipient through these organs, and sums up its own various activities in one act of cognition, and its successive states of consciousness in one remembrance. A vibration of the nerve, as well as of the air or the ether, may precede the audible or visual sensation; but the vibration *is* not the sensation, for it does not, like that, rise into consciousness. The vibration is a phase or mode of motion and

extension, being inconceivable without both ; but a state of consciousness obstinately refuses to include either. What is the shape, or size, or velocity of love or hate, of bitterness or sourness, of anxiety or benevolence, or abstract thought? We see at once that the question is meaningless and absurd.

This doctrine has been illustrated, with his usual wit and eloquence, by Mr. Ruskin. "It is quite true," he says, "that the tympanum of the ear vibrates under sound, and that the surface of the water in a ditch vibrates, too: but the ditch hears nothing for all that; and my hearing is still to me as blessed a mystery as ever, and the interval between the ditch and me quite as great. If the trembling sound in my ears was once of the marriage-bell which began my happiness, and is now of the passing bell which ends it, the difference between these two sounds to me cannot be counted by the number of concussions. There have been some curious speculations lately, as to the conveyance of mental consciousness by 'brain-waves.' What does it matter how it is conveyed? The consciousness itself is not a wave. It may be accompanied here or there by any quantity of quivers and shakes, up or down, of any thing you can find in the universe that is shakeable; what is that to me? My friend is dead, and my—according to modern views—vibratory sorrow is not one whit less, or less mysterious to me, than my old quiet one." Even if we grant the concomitance of the two phenomena, the question still remains, which is cause and which is effect. What better right have you to say that the vibration produced the sorrow, than I have to affirm that the consciousness of sorrow caused the vibration? Surely, it is not the suffusion of blood into the cheeks and neck, which rouses in my mind the feeling of shame, but it is the consciousness of shame which calls up the blush. Wherein, then, can observation of the physical phenomenon throw any light on the nature of the psychical state which precedes it?

All these attempts to imagine some refined and subtile processes of mechanism or chemistry taking place within the skull, wherewith to bridge over the abyss between matter and thought, to make matter seem more spiritual and thought more gross, just as we try to approximate black to white by running through all the shades of gray, are but labor thrown away. You cannot

fill up by intermediate steps the boundless interval between a molecule and an idea; you cannot transmute joys and anxieties into fluids, or judgment and invention into the swing of a pendulum; for they are not *in eodem genere*. Maudsley's attempt to pack distinct ideas into separate nerve-cells, and then to call them into more vivid activity by pulling some nerve-fibre like a string, is akin only to the folly of a child, who stuffs its doll with sawdust, and "makes-believe" that it is hushing a live baby to sleep. The mere concomitance of a mental act with a physical change proves nothing, and throws no light on the subject; for there are many processes going on simultaneously all the time in the brain—such as the circulation of the blood, the wear and replacement of tissues, chemical changes, the jar of atoms—any one of which is just as invariably concomitant as any other with the processes of pure thought. As the heart and the arteries are constantly pumping a rush of blood into and through my brain, and pumping it out again, why not identify that circulation with the ever-flowing river of thought, by the side of which my consciousness watches and waits? Why not, indeed, save for the reason that a blood-corpuscle no more resembles an idea, than the sound of a trumpet is like the color blue or scarlet? The two things are utterly disparate—so hopelessly unlike, that to mention them in the same breath is an absurdity.

Let us turn, then, to another mechanical hypothesis, which is a very old one, though it has recently been revived and adorned with the fine fancy and abundant physiological knowledge of Dr. O. W. Holmes; to the supposition "that memory is a material record; that the brain is scarred and seamed with infinitesimal hieroglyphics, as the features are engraved with the traces of thought and passion." But wherein am I any the better off from having an image, say of the battle of Gettysburg, stamped on my brain, than from having one engraved and hung up on the wall of my study? In either case, the picture becomes significant only so far as it is beheld by an eye which looks at it, and by an indivisible thinking Self which contemplates its parts in their due relations to each other, and the whole in its relations to the foregoing and the subsequent history of my country. There is no bodily eye, no corporeal organ of vision,

inside of the skull, to behold the picture there written or stamped on the surface of the brain; and it is only by apprehending these relations of the depicted event to the past and the future, that it really becomes known. And surely these *relations*, as they cannot be either perceived by sense or represented by imagination, as they have no shape, or color, or any other sensible quality, can be apprehended only by pure abstract thought, without the intervention of any mechanical or chemical process whatsoever. That was not properly the field of Gettysburg which could be beheld by the eye of a horse or a dog, just as well as by that of a man. As regarded by a student of the world's history, the great determining fight between the North and the South was something which could neither be depicted on canvas, nor imprinted on the pulpy surface of the brain.

The remark is as old as Aristotle, that each of the five senses is only a modification of the sense of touch. Now the merely physical result of this touch or impact must be always the same; it is only a jar of atoms, whether made on one nerve or another. But the percipient mind differentiates these separate concussions easily enough, and thereby acquires the varied material, the distinct data, of knowledge. Touch or agitate my optic nerve, and I see; touch my auditory nerve, and I hear; touch my olfactory nerve, and I smell. Between the mere jar of atoms, which, in either of these cases, is the only physical consequent of the touch, and the mental sensation which is simultaneous with it, there is as wide a difference as between an image in a mirror and one who sees that image. Because all physical phenomena are modes exclusively of extension and motion, all the differences by which they are distinguishable from each other can be expressed in terms of mere *quantity*. It is all a question of more or less. Any one phenomenon has more or less extension than another, more or less velocity, more or less permanence, has more or fewer parts, and so forth. But in the world of sensations and ideas, far the most numerous and important distinctions are those of *quality*. In looking at the same landscape, the poet and the painter may not actually *see* more than the clown; but they have a keener discernment, a nicer sense of what is fitting or beautiful, a fuller appreciation of harmony, a more lively perception of analogies, a richer store of associated

ideas. And when we pass into the realm of pure imagination and abstract thought, this distinction between persons becomes world-wide. The man of genius does not necessarily think *faster* than other people; he may not have more ideas in a given time. But he has better ones. His thoughts instruct and improve the world, form the minds of coming generations, and change the course of history. As merely the inside aspect of physical changes in the brain, as the mechanical or chemical action of the molecules of nervous substance, I cannot even imagine any difference between the work of an accountant summing up columns of figures, and that of a Newton or a Laplace,—between the poetry of Martin F. Tupper and that of John Milton. And if we compare men only with their peers, the differences between them, resulting from their respective idiosyncrasies, are still countless and obvious, and inexplicable on any hypothesis of the Materialist.

One of the most eminent physicists in England, Prof. P. G. Tait, remarks, "To say that even the very lowest form of life, not to speak of its higher forms, still less of volition and consciousness, can be fully *explained* on physical principles alone—that is, by the mere relative motions and interactions of portions of inanimate matter, however refined and sublimated,—is simply unscientific. There is absolutely nothing known in physical science which can lend the slightest support to such an idea." Compare this clear and forcible statement with the assertion already quoted from Dr. Maudsley, and "placed beyond doubt" by him and his whole school of physiological psychologists, and tell me which of the two *savans* is merely indulging in a midsummer-night's dream, and which presents only the simple and unvarnished fact.

In beginning a study of the connection between physical and psychical phenomena, men are naturally misled through their previous experience into setting up a false standard of reality and a false measure of certainty. We come to the inquiry with a strongly preconceived opinion that the only unquestionable reality is that of material objects, which can be touched, measured, and weighed; that speculative truths must always be referred to a standard of tangible facts; and that the only evidence which cannot be impeached is the testimony of

the senses. This is because the exigencies of our compound life impose upon us unceasing labor, in order to provide for the mere physical wants of the body. We must be housed, clothed, and fed; through agencies which are in great part of a material nature, through incessant physical efforts, we must keep up our intercourse with our fellow-men and co-operate with them in common enterprises. Even when some of the means for these ends are psychical, as in the communication of feeling and thought, the practical results by which success is measured are generally physical. Hence we are deluded into thinking that Matter is the only real object, that mental phenomena are but unsubstantial counterfeits of what actually exists, and that the senses are the sole inlets of what is properly called knowledge. But these illusions only show that we bring with us to our higher meditations what Lord Bacon expressively calls "the rust and the tarnish of the furnace," the corrupting or blinding influence of the petty occupations of our daily lives. We are too much the slaves of our senses, and through them are too often engrossed with material things. I know of nothing more degrading or unphilosophical than such enslavement to flesh and sense.

Compare deliberately the two worlds in which we live, the one of Matter and the other of Mind, and say which presents the stronger evidence of reality, and which is more immediately and certainly known. As already stated, what is physical is known only through what is psychical, and our immediate life and action never pass the bounds of our ideal world. Matter, at best, is apprehended only indirectly and by inference; it is never immediately presented to consciousness. It is only a supposition, the unknown cause of a known effect. We are conscious of the sensible impression, but not of the material object which is supposed to produce that impression. We hear the sounds, but we do not directly hear the bell or the cart rattling in the street; *that* is an acquired knowledge, dependent on foregoing experience. We see the light, but do not see the sun, for that is more than ninety millions of miles off. And the light, as distinct from the physical vibration, is only a secondary quality,—that is, it exists and is visible only within the limits of consciousness. The senses are perpetually leading us astray, if not through rendering false testimony, at least through enticing

us to found erroneous conclusions upon that testimony. The first lesson which even physical science has to teach is, to distrust the immediate evidence of the senses, as too often they confound the apparent with the real, the near with the remote, the visible with the tangible phenomena. At best, they furnish only the crude data of knowledge; and it is only as tested and cross-examined by the intellect, that what they report can become a basis for science properly so called. I have already adverted to the fact that sensations are properly incommunicable and strictly peculiar to him who has them, so that we can never be sure that they are the same for different observers. Sometimes, as in the case of color-blindness, a discrepancy in their testimony can be demonstrated.

But the truths which are intuitively discerned by pure intellect acting *à priori*, and independently of the evidence of the senses, are necessarily recognized as valid, not only for him who now thinks them, but at all times and for all mankind. They are not derived from experience, but are absolute laws which govern all experience, and so are irreversible, even in thought. As Leibnitz expresses it, they are what God eternally thinks, and therefore cannot be abrogated even by Omnipotence. Created things, for the very reason that they were *created*, are contingent, and necessarily depend on the good-will and pleasure of Him who made them. But the true and the good, including all the relations of pure ideas, are coeternal with the Infinite Mind whose perfections they express, and therefore lie outside of the region within which alone power is applicable. To suppose that they could be abrogated would be to suppose that the Deity should act contrary to his own nature,—that is, that he should cease to be God. As I have elsewhere said, to ask if the Almighty could annihilate space, or stop the flight of time, or contradict the truths of pure mathematics, or reverse the obligations of the moral law, is to ask if God could annihilate himself. Very marvellous is it that the human mind, limited and imperfect as it is in all other respects, should have been enabled thus to rise to an intuition of these immutable and transcendent truths; and pitiable must any attempt appear to resolve such intuition into a phenomenon of the outward sense, or to explain it as a physical consequence of the displacement of molecules.

We find ourselves born into a visible and tangible universe, too vast to have any definite limits assignable to it by the understanding; and we know that our own existence is relegated to a corner of it, which, in comparison with the whole, is almost too small to be appreciated. But actual being does not depend on magnitude; one thing is not more real than another because it is bigger than that other. Shall we make that huge aggregate of matter to be our type of reality, and regard our own thinking life in it as a mere phantom, an arbitrary fiction of thought? Or will not a profound philosophy rather hold the material universe to be the phantom, and the human mind to be the reality in whose imagination the outer world is conjured up? If taken in its full import, we must allow that this question does not admit of a positive answer; it presents a problem too deep to be sounded by a finite intellect. What the external universe is in its inmost being and essence, as a noumenon, or *per se*, apart from its manifestation to us, cannot be ascertained here; we may know hereafter. As already said, it is known only as a foreign Force—a Power not ourselves, operating upon our minds. What that Force is *per se*, in its true nature, and not merely as apprehended by sense and thought, God only knows. But thus much we may confidently affirm, that the material universe, according to the vulgar conception of it, as a huge mass of inert and lifeless molecules, with all the sensible qualities commonly attributed to them, and supposed to exist independently of any mind whatever, is a mere fiction constructed by human thought. It is built up only in our imagination; and we can easily retrace the process through which it is put together out of few and thin filaments of absolute being.

What we call "Nature" is an aggregate of sensible objects coexisting in space, and of events occurring successively in time. To adopt Kant's phrase, we *construct* the visible landscape before us by placing the various objects in it side by side, externally to each other and to ourselves—spreading them out, as it were, over an extended canvas, thus forming a broad mental picture. And, in like manner, we *construct* a page of our daily experience, or of history, distributing the successive events in it along the line of time, which reaches indefinitely into the dis-

tant past and future. Now, what were these objects and events, what were the various mental impressions, as they were first communicated to us by the senses, before we first projected them out of ourselves into the objective forms of space and time? They were purely mental; they were mere groups of sensations bundled together in the mind,—arranged, indeed, by processes of the understanding in their due relations to each other, but not occupying space, not outside of each other as *partes extra partes*, but existing simultaneously, like the various notes constituting a harmony or a discord, without any relations to space and time, except those which we subsequently impose upon them. Like all psychical phenomena, when considered purely as such, they were *unspatial*, and, if regarded as an aggregate existing at any one moment, were also *untemporal*. Whence, then, did we derive the canvas—the forms—on and in which we afterwards arranged them? Whence came Space and Time thus to be the background of our picture? Not from the senses, surely; for *pure* Space and Time, not occupied either by objects or events, are, to our apprehension at least, mere blanks; they are nothingness. There is nothing in them for the senses to take hold of. They are mere subjective forms, not borrowed from Nature, but thought into it, or imposed upon it, by the constitution of our minds. Yet we have an intuitive and ineradicable *belief* that they have also objective truth, apart from and beyond our mental apprehension of them; that they are not merely laws of thought, but also laws of things. Whence comes this irresistible conviction, which does not appear to be weakened, even though we think there is no direct evidence in its favor? Perhaps we may approximate an answer to this difficult question, by going back to a subject already briefly considered—the apparent ubiquity of the thinking Self to the whole nervous system.

The doctrine of Reid and Hamilton, that we have an *immediate* perception of the external world, is rejected by the Idealists on the ground so frequently urged by them, that we can never get beyond the limits of our own consciousness. Knowledge can no more go outside of itself, they say, than a man can jump out of his own skin. Admitted: but is it so certain where the limits of consciousness are to be found? If the

mind is really present wherever it acts and feels, then all that is inside of the skin is also inside of consciousness. If the sphere of our spiritual activity, instead of being limited to an indivisible point in the brain, is coextensive with our whole nervous organism, then we do not need to go outside of ourselves in order to become *immediately* cognizant both of the extension and the impenetrability of our limbs and muscles. We can become directly conscious of the distinction between void and occupied space; that is, of the resistance which is offered by the several portions of our own embodiment in a material form. Space thus becomes not only a subjective postulate, but an objective revelation. It is apprehended both *à priori* and *à posteriori*; it is known both as a law of thought, and as a manifestation of that which is foreign to our thought—the Power which is not ourselves. If touched on two separate portions of my body, as on the shoulder and the hip, I recognize *immediately* the distinction between *here* and *there*; and the idea of space, hitherto undeveloped, then rises into distinct consciousness. In the effort which is needed in order to effect any muscular movement, as in lifting a weight, we become *immediately* conscious both of our own causal agency, and of the resistance to it which is produced by the inertia of matter. Both the Ego and the non-Ego thus become directly known, each in its contrast with the other, and equally real with that other.

This theory is entirely consistent with what has been alleged respecting the absolute unity and indivisibility of the thinking Self. That which is inextended can, by change of place, describe extension, as the straight line is generated by the movement of a mathematical point. Pascal asks in his usual fervid manner, "Think you it is impossible that God should be infinite, and yet without parts? But I will show you a thing which is both infinite and indivisible: it is a point moving in all directions with an infinite swiftness; for it is in all places, and it is all in each place." The Materialists themselves at the present day are far from limiting the action of mind to a single indivisible point in the brain. They do not even confine it, as Descartes did, to a small portion of the brain—that is, to the pineal gland. But they diffuse it through the gray matter

which covers the cerebral hemispheres—that is, through the cortical layer which forms the whole upper surface of the brain. Dr. Maudsley, as we have seen, thus distributes it among the six hundred millions of nerve-cells which constitute this layer, each particular cell, according to him, being the centre of its own particular idea. Why not carry the distribution a little farther, especially as the gray nervous matter in question is found not only covering the cerebral hemispheres, but all along the spinal cord, and in all the ganglia or lower nervous centres with which nearly the whole nervous system is studded? With these facts before us, I say it is as unscientific to limit the sphere of the mind's direct activity to the brain, as it was on the part of the old physiologists to make the heart the special seat of courage and magnanimity, and to place compassion in the bowels, and melancholy (black bile) in the liver. In fact, the whole theory is as vulgar as it is unphilosophical.

For we must remember that the mind even of the young child, as yet uninformed by science, and knowing nothing about the brain or the nervous system, is able distinctly and accurately to locate its sensations wherever they belong in the different portions of its body. It comes crying to its mother with the complaint that it has “got a pain” in its toe, or its finger, or its back—that it has the stomach-ache, or the ear-ache, or the head-ache. Since the pain, as a sensation, can be felt only by the mind, if the mind is located only in the brain, if it is strictly imprisoned in its presence-chamber there, who informed it of the distinct localities whence these painful feelings in its extremities proceed? The physiologist is ready with his answer, such as it is. He says that the nerve-fibres, thin threads of nervous matter, run from the brain and the spinal cord to every portion of the body, and that each one of them, like a telegraph-wire, brings to the mind in the cerebral hemispheres its separate report of what is going on at its peripheral extremity. But I maintain that this answer is wholly insufficient, since it leaves the difficulty to be solved just as great as ever. It is true that hundreds, if not thousands, of these nerve-fibres terminate at their upper ends in the brain. But how comes the mind of the three-year-old child, which has never left its prison-house in the skull, to be able instantly to select the right fibre

out of the whole large bunch of them, and to say this one comes from the toe, that from the finger, that from the ear, that from the stomach, and so on? You know that when a new servant is first introduced into the kitchen of a large house, she needs to begin the training for her duties by becoming acquainted with the several bells which are hung there. She needs to learn, either by tracing out each bell-wire through its whole length, or by being informed by some one who has so traced them, that this one comes from the parlor, that from the dining-room, that from the front-door, etc. How does the young child's mind, if it never leaves its presence-chamber in the brain, come to "know the bells"? Von Hartmann points out a corresponding difficulty in the case of the motor nerves, through which we control the action of every joint and muscle in the body. Surrounded with an indefinite number of the upper ends of such nerves in the brain, how does the mind know which particular one to pull in order to crook the forefinger, which one will lift the foot, which will bend the knee? In such case, we know the mind never hesitates, wavers, or mistakes. Instantly it pulls the right bell; instantly it refers the telegram to the right city or town whence it came. I say, the only conceivable manner of accounting for these marvellous facts is the omnipresence of the thinking Self, one and indivisible as it is to the whole nervous organism.

One class of Materialists, however, attempt to explain away this ubiquity of the mind to the body which it inhabits, by denying the indivisibility of that mind—that is, by rejecting the unity of consciousness. They admit the presence and governing action of mind in the ganglia or lower nervous centres, but assert that it is a different mind from that which is dominant in the brain, though communication is kept up between them, and their action is thus rendered harmonious by the connecting nervous fibres. Every body, like a bee-hive, is thus tenanted by a sort of republic of distinct though co-operating souls. The undivided worm or ant, they say, has apparently but one consciousness; but when cut apart it has two, since each moiety continues to live and to exercise its ordinary functions. Curiously enough, when an Australian ant is thus cut in two, the severed portions immediately declare war

on each other and engage in a fierce conflict, the upper half fighting with its mandibles and the lower one with its sting. We have the corresponding fact, it is urged, in the case even of the mammalia, whenever one of them propagates its kind; since what was apparently one consciousness before birth becomes two distinct consciousnesses after the physical connection between parent and offspring is severed. It is further alleged, that if the severed halves of two different polyps, each of which had a consciousness of its own, are brought together, they will unite and form but one animal and one consciousness.

But it is an unproved and improbable hypothesis, that the ant, polyp, or offspring still *in gremio matris*, has any consciousness at all. Those created things which are low down in the scale of being, whether vegetable or animal, exemplify what Professor Owen calls "the law of vegetative or irrelative repetition," as they have many organs performing the same function, and not united with each other for the performance of a higher function. A number of similar parts being repeated in each segment of the organism, the body can be divided, and the severed portions, each containing some of the organs essential to the whole, will continue to live separately, and even to grow and develop other organs convenient for their independent life. In the Polypiaria, we find many compound plant-like animals aggregated together on a single calcareous axis or base. In the cases now in question, the section made by the knife did not cut one soul or animating principle into two, but only severed one corporeal integument which previously held together several distinct lives, which were really independent of each other before their division, each deriving its nutriment perhaps from that portion of the integument with which it was in immediate contact. So a single hive of bees may be separated by the swarming process into several distinct communities, each provided with its own queen and principle of unity. So what we call the single plant may be severed into as many plants as it has distinct buds or germs; but not into more than there are buds. A shred may be taken, either of plant or polyp, so small that it contains no germ of distinct life; and then the severed fragment dies, being only an incomplete and discarded portion of the organism. Science can never discover the par-

ticular time, whether before or after birth, when the sentient principle is first infused into the immature offspring. But so far as physiology is competent to observe the change, all life, even the human, is propagated by what may be called a process of fissiparous generation. The old physiological axiom still holds true, *omne vivum ex ovo* ; only the ovum is detached sometimes in an early and immature, sometimes in a later and ripened stage. The young opossum is first severed when as yet it seems to be little more than a small lump of protoplasm ; the young of one of the higher animals remains in the womb till it is comparatively mature. The precise moment when distinct sentient and conscious life begins is one of the many mysteries before which Materialism throws down its microscope in despair.

FRANCIS BOWEN.

NO PREACHING TO THE DEAD.¹

Ε 5 τοῦτο γὰρ καὶ νεκροῖς εὐαγγελίσθη, ἵνα κριθῶσι μὲν κατὰ ἀνθρώπους σαρκί, ζῶσι δὲ κατὰ Θεὸν πνεύματι.—1 Peter 4 : 6.

Authorized Version.—"For, for this cause was the Gospel preached also to them that are dead, that they might be judged according to men in the flesh, but live according to God in the spirit."

Critical Translation.—"For, to this end, was the Gospel preached even to the dead, namely, in order that, although, on the one hand, as respects men, they might have been judicially condemned to death, through the flesh, yet, on the other hand, as respects God, they may still live, by divine power."

"*The Gospel is preached to no one after death.*"—BENGEL.

DANTE informs us that, taking Virgil as his guide through the underworld, he came at length to the dark cavern of Hades. Over its gloomy portal were written these words of despair :

"Lasciate ogni speranza voi ch' entrate !"

"Abandon hope, all ye who enter here !"

If this warning is not visible to every one, as he looks at the portals of the dark cavern of modern exegesis upon 1 Peter 3 : 18-21, and 1 Peter 4 : 6, it can only be because of some defect in the eyesight of the beholder. For it is to Hades, with Virgil as a guide, taking him as though he were an apostle, many have gone, and are still going, to find the true interpretation of this part of the Word of God. It is in the "color-os-

¹ The present article is written as supplementary to a previous one upon 1 Peter 3 : 18-21, published in the *Presbyterian Quarterly and Princeton Review* for April, 1875. The general interest taken to-day in the study of both the so-called "proof-texts" of the "Descensus ad Inferos" is the apology for offering this additional criticism.—N. W.

curo" of mythological superstitions and mediæval prepossessions they seek to find the meaning of the Holy Spirit. The "intermediate state" has become, to how many, only another edition of the Tartarus and Elysium of the pagan poets! The passage 1 Peter 4:6, like its cognate 1 Peter 3:18, confessedly difficult in itself, is only made the more so by a thousand attempts, not so much to explain as to constrain it to the interest of a moral prejudice against the righteousness of the divine administration in the punishment of the finally impenitent. The number of well-settled principles and doctrines necessary to be overthrown, in order to support such perversion, operates as a check upon its universal acceptance. Hence the conflict. What wonder that, in the midst of so many antagonizing views, where scholarship, ability, and piety are united on both sides of the question, and conscience conservative of long-established truth resists a conscience elastic to "*τὸ καινότερον*," there should be darkness and doubt? How many there are who, like young Gillespie in the Westminster Assembly, lay their head in their hands, and bending over their desk, sigh "*Da lucem, Domine!*" What obscuring clouds are settling down to-day over the faith once held by the Reformed, as to these very passages, from commentaries and books, German and English, original and translated, scattered everywhere among ministers, teachers, and people, filled with revived mediæval, modern Lutheran, Broad-Church Anglican, and even modern Reformed, misinterpretations and speculations!

What does 1 Peter 4:6 mean? Canon Farrar has recently proclaimed its meaning to the world in what he doubtless regards terms of invulnerable truth. "This much," says he, "at any rate, that the fate of man is not finally and irreversibly and necessarily sealed at death, you yourselves, unwittingly perhaps, but none the less certainly, admit and declare and confess every time you repeat the Apostles' Creed: for there you say that Christ descended into hell; and the *sole passage* which proves that article of the Creed is the passage in which St. Peter tells us that Christ went and preached to the spirits in prison, who sometime were disobedient. St. Peter tells you in so many words, in the passage I have chosen for my text, that the Gospel was preached to them that are dead; and if, as the Church

in every age has held (!), the fate of those dead sinners (*antediluvians*) was not irrevocably fixed by death, then it must be clear and obvious to the very meanest understanding that neither, of necessity, is ours."¹ Canon Farrar is not alone. Turn to the theological books and commentaries in the hands of so many of our ministers! Open Van Oosterzee's *Dogmatics*, II. 560: "Even, on the day of Pentecost, Peter explains the words of Psalm 16: 10, of the crucified Master, and Paul proceeds essentially from the same idea, Col. 2: 15. His words in Ephesians 4: 8-10 appear to have reference to the same fact, and especially the proof-texts 1 Peter 3: 18-21 and 4: 6 *admit of no other interpretation* than that the historic Christ himself, made alive after his death for a higher spiritual existence, proclaimed the Gospel in the world of spirits to the unhappy contemporaries of Noah, who had perished in the Flood." Such is the assertion made, with all possible "Dogmatics," and foreshortened almost to an infallible dictum! Open Delitzsch's *Psychology*, p. 483: "Thus manifesting himself he descended to Hades. He preached to them the victory that now had come to pass. He preached to the Old Testament dead the New Testament Gospel (*νεκροῖς εὐαγγελίσθη*) of the now completed redemption, 1 Peter 3: 19; 4: 6. There, fallen angelic powers beheld him as the Conqueror, the Old Testament saints as the Redeemer; those who had died in the attitude of hardening themselves, as the Judge; and for the many who, as in the judgment of the Deluge, had been swallowed up by Hades, there were glimpses of deliverance still possible." Open Heard's *Tripartite Nature of Man*, p. 272: "1 Peter 3: 19 and 4: 6 would certainly seem to connect Christ's descent into the underworld with the salvation of some who have never heard the Gospel preached when in the flesh." Open Lange on the passages: "Holy Scripture nowhere asserts the eternal condemnation of those who have died either as heathen or as not having heard the Gospel. In 1 Peter 3: 19 St. Peter distinctly teaches that God's way of salvation does not end with life, and that to those who have departed this life without hearing of Christ, such a proclamation or preaching shall be made hereafter." Open Alford on the

¹ Sermon by Canon Farrar on 1 Peter 4: 6, November 11th, 1877.

passages : " It remains that we consider the view that the persons pointed at in 1 Peter 4:6 are those spirits in prison to whom our Lord went and preached, chap. 3:19. This supposition, but always with the protest that *νεκροῖς* does not refer only to these, but to the dead generally, and that these are only the occasion of the general assertion, is also adopted by Wiesinger. And this interpretation I adopt, believing it to be the only one which satisfies the philological conditions of the sentence." " If *νεκροῖς εὐαγγελίσθη* may mean the Gospel was preached to some during their lifetime who are now dead, exegesis has no longer any fixed rule, and Scripture may be made to prove any thing." Open Huther in Meyer on the passages, a commentary now in process of translation : " To all who are dead at the time of the last judgment, the Gospel has been preached, be it before or after their death. The Gospel, as such, could only have been preached first after the completion of the redemption work of Christ, and consequently first after His resurrection. Christ consequently went, after his resurrection, to the dead, to proclaim to them the Gospel, and sent forth his apostles to preach it to the living." Such are mere specimens of the modes of interpretation now offered in the market everywhere, to mould the minds of a rising ministry, and affect not less the work than the faith of the whole Church. It remains to be seen whether the old Reformed or the new Progressive exegesis shall stand. A hundred reasons occur at once to reveal the importance of giving heed to the encroachments now made upon the standard doctrines embodied in the symbols of the Reformed faith.

The principal views entertained in reference to the meaning of 1 Peter 4:6 are the following :

1. That the passage refers to a descent of Christ into Hades to preach. And this preaching was—

1. Either the proclamation of a damnatory sentence upon the impenitent dead, not alone of Noah's time, but of all time previous to the proclamation, sealing the just judgment of God already pronounced upon all who are reserved to the judgment of the last day ;

2. Or the proclamation of deliverance from Hades for the

Old Testament saints from Adam to Christ, or, still narrower, only for the patriarchs, out of which was developed the doctrine of the "*Limbus Patrum* ;"

3. Or the proclamation of salvation to the unbelieving antediluvians alone who perished in the Flood, but repented at the last moment of life—or, still wider, to all unbelievers of every nation from Adam to Christ, whether penitent or not, *in articulo mortis*—or, wider yet, to the whole company of the dead throughout all the world up to the last judgment, who have had no opportunity of hearing the Gospel ; and, again, a second probation to those who have heard it already and rejected it, it being impossible for some to hear it and not all, and the mercy of God refusing none who hear and are willing to accept it. The extensions are inferential.

4. Or the proclamation was simultaneously of *two* kinds : (1) a damnatory sentence upon the whole mass of unbelievers and impenitent already condemned, and (2) a message of deliverance to the whole body of Old Testament saints who had long been waiting for the atonement, and victory of Christ over Sin, Death, and Hades.

II. That the passage *does not* refer to any descent of Christ into Hades, either before or after his resurrection, for the purpose of preaching either a damnatory sentence upon the wicked, or a message of deliverance to Old Testament saints, or offering salvation to any who never heard it offered before. This view rests mainly upon the interpretation that refers the preaching spoken of in 1 Peter 3 : 18–21 to the work of Noah, as of Enoch before him—the proclamation of the Gospel of the "Promised Seed," first of all in Eden, and ever after continued by the Spirit of Christ speaking through the lips of the patriarchs and prophets of old. It regards the time of the "preaching" as the time of the "disobedience," and the "spirits in prison" as the contemporaries of Noah, not in "prison" when salvation was offered, but only after their day of grace had expired. That this is the true view of 1 Peter 3 : 18–21, whose interpretation *must* govern that of 1 Peter 4 : 6, because of the illative particle *οὖν* binding 4 : 1 to 3 : 18, was shown in the April number of the *Presbyterian Quarterly and Princeton Review* for 1875.

Excluding, therefore, the idea of a descent to Hades to preach, the following principal views of the "preaching" and the "dead," referred to in 1 Peter 4 : 6, are that the preaching was by audible human voice—a public proclamation of the Gospel:

1. Either to living men who are called, in the Scriptures, *spiritually* dead, "dead in trespasses and in sins"—*i.e.*, to living unbelievers.

2. Or to the literally dead blasphemers of Peter's day.

3. Or to the martyred Christians, alone, of Peter's generation.

4. Or to the literally dead, in all time, to whom, in whatever form, the Gospel was sent, and who believed it; or, still wider, to the unbelieving dead, as well, who rejected it.

5. Or to all the literally dead, believing or unbelieving, of every age and clime, who heard the Gospel *while living*, under whatever form it was preached, whether Patriarchal, Levitical, Prophetic, or Christian, while at the same time special reference is had to the pious dead of all ages, and still more especially to the *martyrs of Jesus*. This we believe to be the true interpretation and scope of the passage, supported by grammar, lexicon, history, and the sacred volume itself.

We need not go to Hades to find light for our exegesis. If ever the fires of persecution are kindled again, and martyrs of Jesus once more wash their hands in the flame, and win a martyr's crown, the passages, now difficult to be understood, where suffering and reproach are unknown, will then shine with a self-illuminating and heart-warming glow. It was at such a time the First Epistle of Peter was written, and by one whose Master warned him, thirty years before, that, when an "old" man, he should "stretch forth" his hands, and "another should gird" him, and "carry" him whither he would not! (John 21 : 18, 19.) The time had come. The roaring Neronian lion was "going about." "The Christians, at the time of the composition of the epistle, were already in a depressed condition throughout the Roman Empire, and had to expect the worst."¹ "The churches to whom the epistle was written were exposed to such persecu-

¹ Schaff, *Apost. Hist.*, 329.

tions as arose about this time. The Christians were now persecuted '*as Christians*,' and according to the popular opinions, of which Nero took advantage, were treated as 'evil-doers.' By their seriousness and strictness of conduct, and their withdrawal from public shows and other licentious amusements, they rendered themselves obnoxious to the hatred of the heathen populace."¹ It is a mistake to think that the fires were not lit previously to the conflagration of Rome by Nero; for before his special imperial edicts were issued against the Christians on that account, the crime of the emperor's own incendiarism being laid to the charge of the Christians by himself, the tenor of the "general law" was severely against them. "While other acts of Nero were abrogated, all those against the Christians remained. The profession of the Gospel was now legally punishable. It fell under the general law which prohibited all such religions as were not sanctioned by the state."² The writing of the First Epistle of Peter is dated by Hug, Neander, De Wette, Thiersch, Mayerhoff, Reuss, Bleek, Wiesinger, Greswell, Schott, Blunt, as somewhere from A.D. 64 to A.D. 68, the last year of the Neronian persecution. And this general date will stand secure as against all arguments to the contrary from those who seek to leave the impression that the fires of imperial persecution were not yet kindled when Peter wrote. It was in the year 64, the tenth of Nero's reign, the first general persecution broke out, on the 19th day of July, immediately after the conflagration of the imperial capital, which, burning nine days, consumed ten of the fourteen great districts of Rome, while Nero fiddled to the flames.³ It was but the ignition of the match that lit the fires of martyrdom, kindling the empire to a blaze that threw its red glare on the sky from the Danube to the cataracts of the Nile, and from the Pillars of Hercules to the ruins of Babylon, where Peter wrote his epistle. Successive edicts were issued against "the hated sect," the "odium humani generis," "invisos," "hated of all men," as the Saviour forewarned, for his name's

¹ Neander, *Planting and Training*, 212.

² Robertson, *Hist. Chr. Ch.*, I. 11.

³ Guizot's *Gibbon*, 8vo, I. 185, 186; Tacit., *Annal.*, XV. 34-38; Suet. in *Vit. Nero.*, Cap. 28; Dion Cassius, I. lxxi.; Orosius, VII. 7; Euseb., *Eccl. Hist.*, VII. 9, 11; Lact., *Div. Inst.*, V. 11; Withrow, *Catacombs of Rome*, 72.

sake. No province was exempted. Mosheim's judgment still remains valid, after all that has been objected, and more critical research only confirms the conclusion that, under Nero, the persecution was universal, continuing unabated from A.D. 64 to A.D. 68. "The arguments of those who maintain that the Neronian persecution extended throughout the whole empire possess greater force than those which are adduced on the opposite side."¹

Such was the condition of things when the epistle was written. Between its lines a well-informed student may see as through a lattice the Roman conflagration A.D. 64, and the oncoming retaliatory conflagration of Jerusalem A.D. 70, and unnumbered martyr fires. If he listens as he reads, he may hear the clanking chain, the loud insult, the arrest, the accusation, the reproach, the torture, the defence, the cruel judicial condemnation. Peter's *κακοποιῶντες*, or "evil-doers," are but the Roman "Malefici" gibbeted by the Roman historians. His *Χριστιανός* is the Roman "Christianus" sent to the lions of the amphitheatre. The *λογός*, the *ἀπολογία*, the *ἐπηρεάζοντες*, the *κρίμα*, the *κριθῶσι*, and the *πάσχειν ὡς Χριστιανός*, all bring us to the judgment-seat of the Roman prætor, as Christ was brought before Pilate. What are the "*πύρωσις*," the "burning," of 4 : 12 (compare Rev. 18 : 9, 18), and the trial of faith "by means of fire," "*διὰ πυρός*" (1 : 7), but blazing pillars of testimony, one in the doorway, the other on the central shrine, of the epistle itself, witnessing that martyrdom by fire had already spread over the Roman Empire when the epistle was written?—that many a confessor of Christ had already "suffered in the flesh," not alone on the cross, like his Master, but had given his "body to be burned"? (1 Cor. 13 : 3). Who can fail to see the gardens of Nero, with the Christians standing erect, as lamp-posts, in their shirts of fire, for the emperor's amusement?—the "*Flammati*" of Suetonius, the proscribed and tortured "*hostes Cæsarum populique Romani*," state criminals judicially condemned to the stake for their love to Christ, a "*crimen majestatis*" against the imperial monster? Or what student of history will not recognize in these passages the be-

¹ Mosheim, *Three Centuries*, 142.

ginning of those centuries of unutterable anguish, in which the imperial capital passes before him, rampant against the new religion, and in which the Mediterranean is freighted with the world's shipping, ploughing its way to crowd the Tiber, from Ostia to Mount Aventine and the Golden Palace, to bring slaves and Christians alike to supply material for the flame, the agonies of the Coliseum, and the shouts of Rome?

The path of a true interpretation will furthermore be made clear if we look at the context, 4 : 1-6. It is hortatory and consolatory, and the very centre of all at which the epistle aims. Verse 1st, binding itself by the syllogistic οὖν to 3 : 18, reproduces the picture of the suffering Jesus, and building on that its great motive for the Neronian sufferers, calls upon them to imitate Christ and derive courage from his example. 'Οπλί-σασθε! Arm for martyrdom! put on the mind of Jesus as a panoply! The time has come! Only the mind that was in Jesus will enable you to pass through the fire, or endure persecution and reproach as a Christian. Co-witnesses, co-sufferers, called to become co-victors, "arm!" "Hereunto are ye called!" A series of supporting motives inferior only to the one great example of Christ, is adduced, to strengthen them for the fiery ordeal. They are : 1. *Cessation from sin*. "He that has suffered in the flesh has ceased from sin" (verse 1). In a both spiritual and literal sense it is true. Therefore arm for martyrdom! Verse 2 announces the fact at which this conformity to Christ aims—*εἰς τὸ*—being no less than complete separation from the sinful pleasures and society of the world, redeeming the time, and consecrating it to the will of God. 2. *Penitential Review of the Past* (verse 3). Enough of life has been spent in the service of sin, and this mournful reflection should operate as a motive for entire conformity to Christ in the future. Better be martyrs in a Christian life than continue to live after the manner of the sinful world. Therefore arm for martyrdom at the hands of men who hate you, and who stand astonished at your isolation from their society and at your non-participation in their sinful, cruel, and licentious amusements (verse 4). Let the revilers mock on and denounce you as separatists, seditious, sectarians, evil-doers, haters of Cæsar, state criminals, and shout the Christians to the lions! to the Tiber! to the flames! The

blasphemers shall give account to God, who is ready to judge the quick and the dead (verse 5). 3. *Eternal Victory and Glory crowned with Resurrection of the Body* (verse 6). This is the last and culminating motive for the exhortation to martyrdom. Losing their life for Jesus' sake, "if need be"—ἐι δέον ἔστί, 1 Peter 1 : 6—they shall find it, no matter what Sadducean, Jewish, or Pagan objectors may say as to the annihilation of soul and body at death, in order to swerve them from their faith. Death brings no loss to the believer. Though condemned unjustly to the stake, and dead in the flesh so far as respects men, yet Godward they live in glory, and their bodies shall rise from their ashes by a divine power. Manifestly this last motive is the crowning justification of all the preceding exhortation. As it is the death of the body in the martyr's flame that is the thought in the foreground of the persecution, so is it the resurrection of the body that is the thought in the foreground of the consolation. Not that the life of the soul in glory is not implied, but that the crowning consolation of the martyr, as such, is the sublime doxology with which Peter opens his epistle—the hope of the resurrection and the appearing of Christ. The immortal efficacy of Christ's death penetrates beyond the fagot, the stake, the utmost martyrdom. Calvary and Tabor, sufferings and glory—these are the perpetual key-notes of Peter, who was a "witness of the sufferings of Christ" (1 Peter 5 : 1), and beheld his glory in the "holy mount" (2 Peter 1 : 18). It is the consolation proposed to the persecuted of the Neronian dispersion, everywhere exposed to the "burning" and the trial of their faith "by fire," and to all martyrs in all ages.

All this explains the relation and force of γάρ in the 6th verse, about which there is so much dispute, as also the force of γάρ in the 3d verse, and of οὔτι in the 1st verse. While the latter two particles introduce, respectively, a moral reason for the clauses immediately preceding, the former introduces a crowning reason for the whole antecedent exhortation, including and covering all the adjuncts from the beginning of the chapter. The apostle has come, at the close of verse 5, to the conclusion of his amplified second reason introduced at verse 3, which reason itself was only an added motive enforcing the exhortation in the 1st verse, to arm for martyrdom. He now introduces

with another *γάρ*, in verse 6, the last and crowning reason to enforce the same exhortation of verse 1, carrying with it all the succeeding adjuncts. The importance of attention to this cannot be overestimated. All these particles are simply fulcra on which to support accumulating moral considerations, and are not so much logical as hortatory.

But who are the "dead," the *νεκροῖς*, of verse 6? This is the capital question of the whole interpretation. Are they identical with the "dead," the *νεκρούς* of verse 5, and, if so, are both identical with the "spirits in prison," the *πνεύματι*, of chap. 3 : 19? So it is stoutly claimed by the advocates of Hades-preaching. And the argument is that this must of necessity be so, because while the *γάρ* of verse 6 binds verse 6 to the immediately preceding verse 5, and not to verse 1, yet the illative particle *οὖν* in verse 1 binds the whole exhortation to chapter 3 : 19, thus binding also chapter 4 : 6 to chapter 3 : 19, and thereby identifying the "spirits in prison" there with the "dead" here; the "preaching" there with the "preaching" here. Such is the exegetical position taken by Wiesinger, Weiss, Schott, Huther, De Wette, Fronmüller, Steiger, Brückner, Alford, Mombert, and accorded by such men as Delitzsch, Van Oosterzee, Farrar, the general position of Romanist, Lutheran, Broad-Anglican, and Broad-American advocates of preaching in Hades. Here is the Gibraltar of the doctrine. The fortress is neither sought for nor found anywhere else in the Scriptures. If it is not here, it is nowhere. But a difficulty occurs. On the one hand, it is impossible to deny that the "spirits in prison" (3 : 19) mean the spirits of the antediluvian contemporaries of Noah, who refused to believe, and perished in the Flood. The term is limited. On the other hand, it is impossible to deny that the "dead" (4 : 5), *νεκρούς*, mean the totality of those who shall be found dead at the last judgment-day. Evidently, if it could be proved that the Gospel was preached to the dead contemporaries of Noah, that would not prove that it will be preached to the universal dead. And evidently, to prove that it was preached in Hades to those who had already refused on earth to believe the promise of grace, and flee into an ark of safety, would by no means prove that it will be preached to all the dead in the next world who have had no opportunity to

hear it in this. The logical slips are palpable, and the testimony is insufficient. The inferences are unwarranted, as utterly as the false interpretation of the passages from which they are drawn. Something must be done. Now then, inasmuch as it is said that "the Gospel was preached to the dead" of verse 6, *νεκροῖς*, the inference is assumed to be legitimate that it was preached also to all the "dead," the *νεκρούς* of verse 5, that is, to the universal dead, and that this is what Peter declares. But another difficulty emerges. Peter speaks in the past tense, of time gone by. He says nothing of preaching to any who are to come after him. Not finding it easy to change a tense supported by all the manuscripts, resort is had to the ready expedient of supposing that Peter transported himself in thought to the day of the last judgment itself, and, speaking from that stand-point, announced that to the whole mass of the dead the Gospel was preached, and the dead judged, and thus included all the dead, both antecedent and subsequent to his own time. Thus, by first assuming that chapter 3 : 19 teaches a descent of Christ to Hades to preach to the "spirits in prison," then by identifying the "dead" of verse 5 with the "dead" of verse 6, and these again with the "spirits" of 3 : 19, and then placing the apostle at the stand-point of the last judgment, the supposed triumphant conclusion is reached that the Gospel is preached to all the dead in Hades who have had no opportunity to hear it in this life. This is the logic and this the exegesis—a logic and exegesis resting first of all upon the false assumption that 1 Peter 3 : 19 teaches a descent of Christ to Hades to preach to "spirits in prison;" secondly, on the false assumption that the "dead" of verse 5 are identical in extent with the dead of verse 6; thirdly, on the false assumption that the "dead" of verse 6 were also in Hades when the Gospel was preached to them, as is supposed to have been the case with unbelieving contemporaries of Noah; fourthly, on the false assumption that to none of the dead of verse 5 was the Gospel preached while they were yet alive; fifthly, on the false assumption that Peter in this verse takes his stand-point at the final judgment; sixthly, on the false assumption that the one sole rule of judgment at the last day is the Gospel; seventhly, on the false assumption that the judgment expressed in verses 5 and 6 is

the same divine judgment upon the same class ; eighthly, on the false assumption that the design of preaching the Gospel to the dead was to enable God to judge the dead justly, as well as the living, by the same rule ; and, ninthly, on two irrelevant conclusions, both assumptions from false premises, viz. : (1) that because the Gospel was preached a second time to the dead contemporaries of Noah, who once already rejected it in promise-form, therefore it will be preached the first time in Hades to all the dead who never heard it before ; or (2) that because the Gospel was never preached to these same contemporaries of Noah during their life, but only in Hades after their death, therefore it will be preached to all the dead, after death, who have never heard it before ; and, tenthly, that the force of the preposition “ for,” in verse 6, is to bind that verse to the verse that precedes it. But it is impossible to enumerate all the assumptions and fallacies. The full exegesis of the best defenders of the Hades-preaching doctrine is—

1. That γὰρ, verse 6, binds this verse to the preceding, and assigns the preaching as the reason for the justice of the judgment of God upon the dead who never heard the Gospel while living ; a judgment conceived of as entering even before the last judgment. This we deny.

2. That εἰς τοῦτο, ἵνα, point out the design of the preaching to the dead after death as twofold ; (1) to offer them salvation, (2) to establish the Gospel as the one sole rule of judgment for all mankind. This we deny.

3. That the time of εὐαγγελίσθη-was after death, and that this is proved by chapter 3 : 19. This we deny.

4. That νεκροῖς (verse 6) and νεκρούς (verse 5) are identical in extent, and that the καὶ implies that it would be unjust in God to adjudge the dead to eternal death on account of sin, without giving them opportunity first to hear the Gospel. This we deny.

5. That the κριθῶσι of verse 6 and the κρῖναι of verse 5 both refer to the same divine condemnation, viz., judgment against the rejectors of the Gospel. This we deny.

6. That κατὰ ἀνθρώπους σαρκὶ means that the disembodied dead are judged by the Gospel after the same manner as men in the flesh are judged ; that is, as the living are judged

who have the Gospel preached to them also—that is, upon the same principle or according to its acceptance or rejection. This we deny.

7. That *κατὰ Θεὸν πνεύματι* means that the spirits in prison who receive the Gospel live spiritually, according to a divine life; the *πνεύματι* denoting not divine power, or the Holy Spirit, but the human spirit which is the subject of a divine life. This we deny.

Others maintain that by the “dead” (verse 6) to whom the Gospel was preached are meant the *spiritually* dead in trespasses and sins, whether Jews or Gentiles, in their several generations; some believing, some not. So Augustine, Luther, Erasmus, Bede, Vorstius, Socinus, Gerhard, Doddridge, Whitby, Poole, Henry, Brown, Leighton. Others, again, like Bullinger and Aretius, that the pious dead of the Old Testament are meant. Still others, like Hofmann and Besser, that the reference is to the dead blasphemers of Peter’s day. And, finally, others, that by the dead in verse 6 are meant, in general, (*a*) all the dead to whom, when living, the Gospel came in any form, believers or unbelievers; (*b*) all the pious dead more especially; and (*c*) most especially *the martyrs of Jesus*. So Calvin, Carpzov, Beza, Bengel, Jansen, Wetstein, Rosenmuller, Schott, Zezschwitz, Bloomfield, Hammond, Scott, McKnight, Barnes, Clarke, Wesley. This we regard as the correct view, the only defensible interpretation. The design of the Gospel was the same to all. The “dead” of verse 6 is a term narrower in extent than the “dead” of verse 5, and of larger extent than the number included in 3 : 19. The *usus loquendi* establishes the fact that the formula of 4 : 5, *ζῶντας καὶ νεκρούς*, means all mankind, all the dead and all the living at the last judgment-day. (See Acts 10 : 42; Rom. 14 : 9; 2 Tim. 4 : 1.) No such *usus* establishes the numerical value of *νεκροῖς*. Accompanied by the article it would then mark more definitely the totality of the dead. (Winer, p. 112.) And yet the absence of the article is no evidence that the totality is not meant. The extent of the meaning must be determined by the context. The mere fact that *νεκρούς* is in verse 5, and *νεκροῖς* is in verse 6, is no sufficient proof that they are commensurate in extent, although they are so in state, or that because the first has been intro-

duced into the discourse incidentally in a formula of universal scope, therefore the second is increased to precisely the same measure when belonging to an entirely different form of thought, offering a new motive, and in a different connection. Nor are the dead in verse 6 limited, on the other hand, to numerical equivalence with the "spirits in prison" (3 : 19). Upon the supposition that the offer of the Gospel was made, in promise-form, to the antediluvians, a supposition that is a fact, then the "spirits in prison" were only part of the whole number to whom, in all time previous to Peter's day, the Gospel was preached ; not, however, that in either case this preaching was in Hades. For those to whom the Gospel is said to have come are represented as subject to a judicial sentence inflicted *σαρκί*, after the manner of men, or by virtue of, or owing to the fact that, they were in the flesh at the time they heard it proclaimed—conditions impossible to be fulfilled in Hades. And to say that by the dead is simply meant the *spiritually* dead, is to lose sight of the fact that there were many spiritually dead, to whom it was not preached, and that the character of the death is the same in both the *νεκρούς* and *νεκροῖς*, though the extent is different ; as well as also to lose sight of the fact of impending martyrdom, in view of which Peter would fortify the Dispersion with the hope of the resurrection of the body, and cheer them, above all, with the example of their crucified Lord, who, though dead *σαρκί*, and condemned *κατὰ ανθρώπους*, yet was raised from the dead the third day, and lived by the power of God. The dead mean the *literally* dead. As little can the dead be confined exclusively to the pious dead of the Old Testament, or exclusively to the Christian dead of the New ; for it is clear that the great design of the preaching of the Gospel (*εἰς τοῦτο*) was the same to all to whom it came, whether they received it or not. And, for the same reason, the dead cannot mean the dead blasphemers of Peter's day, viz., because they were not the only ones to whom that Gospel came. We adhere, therefore, to the view previously expressed, viz., that by the *νεκροῖς*, to whom the Gospel was preached are meant all to whom it was preached, in whatever form, previous to Peter's day, whether receiving it or not, but more particularly to the pious dead of all ages, and most especially to the *martyrs of Jesus*. It is this

last thought that was uppermost in Peter's mind. There are many considerations which go to support this view. Beyond all question, the νεκροῖς (verse 6) are they of whom it is predicated,

1. That the "*Gospel was preached*" to them in time previous to that in which Peter was speaking. *Εὐαγγελίσθη*, literally, "it was evangelized." The Aorist tense, as is well known, is used to denote completed action in time past indefinite, with no other relation, and in this particular stands in vivid contrast with the other historical tenses. It represents an action, independently and absolutely, unconnected with any other time, an unhorizoned, unlimited action. What Peter affirms concerning the dead to whom he refers is, that through the whole period of the past, time and again, from generation to generation, the Gospel was sounded in their ears. Does this mean that it was preached only for a day and a half in Hades, in the year A.D. 30, between the death and resurrection of Christ? Does it mean that it was preached only to "spirits" of the antediluvian contemporaries of Noah 2000 years after they were disembodied? Only upon the false theory that the Gospel, as such, could never have been preached until the atoning work and resurrection of Christ were accomplished, or the atonement without the resurrection, as some hold, or a second offer be made, can such a supposition, as to the *time* of the preaching, be possible. But if the "Gospel," as such, is glad tidings of salvation by grace through faith in a promised Redeemer, whether yet to come, or as having come already; if it is salvation by justifying faith, without works, through the perfect righteousness of Christ—then the Bible itself is a witness that the force of the Aorist tense, in the verb used by Peter, carries back the verbal action expressed to the very gates of Eden. It was preached to Adam in the garden, in the first promise of salvation through the promised seed (Gen. 3:15). Abel was its first martyr (Heb. 11:4; Gen. 4:10). It was preached by Enoch, the seventh from Adam (Heb. 11:5, 6). "The Scripture foreseeing that God would justify the Gentiles through faith, *preached before the Gospel* unto Abraham, saying, In thee shall all nations be blessed" (Gal. 3:8, 16, 18). Moses preached it in Egypt. "Through faith, he kept the pass-over, and the blood of sprinkling, lest he that destroyed the

first-born should touch them" (Heb. 11 : 28). He "esteemed the reproach of Christ greater riches than the treasures of Egypt" (Heb. 11 : 26). The Israelites "all drank of the spiritual Rock that followed them, and that Rock was Christ" (1 Cor. 10 : 4). David "spake before of the resurrection of Christ" (Acts 2 : 31), and described the "blessedness of the man to whom God imputes righteousness without works," the man whose "transgression is forgiven and whose sin is covered" (Psalm 32 : 1 ; Rom. 4 : 6). Isaiah preached it as precious as ever it was preached by any New Testament apostle (Isa., chap. 53). Daniel proclaimed it to the captives (Dan. 8 : 24-27). "The testimony of Jesus is the spirit of prophecy" (Rev. 19 : 10). "To him gave all the prophets witness"—from Moses to Malachi—"that through his name whosoever believeth shall receive remission of sins" (Acts 10 : 48). Everywhere, in foresight of redemption, close by the side of every catastrophe and judgment in history, salvation by grace through faith took possession of 4000 years from Adam to Christ, and the Gospel was administered in promise, in type, in symbol, in prophecy, by patriarchs, prophets, and kings. The ancients beheld it by faith, and embraced it. Abraham rejoiced to see it on the hill of Moriah. It was Isaac's meditation in the field, and Jacob's dream by night. Moses sprinkled it in blood all the way from Egypt to Canaan. David celebrated it in a minstrelsy all divine. Exiles sang it by the rivers of Babylon. Jerusalem, publishing good tidings, announced it to every nation under heaven. Long before Peter's day, the generations who had heard it had fallen asleep, and he tells us "the Gospel was preached to the dead." It is his own declaration that it was proclaimed to an ungodly and Christ-rejecting race, all of whom, save eight souls, perished in the Flood (1 Pet. 3 : 19). In the most express language he informs us that holy men of old spent their lives "searching what, or what manner of time the Spirit of Christ which was in them did signify, when it testified beforehand the sufferings of Christ, and the glory that should follow" (1 Peter 1 : 11).

It is this very verb *εὐαγγελίσθη*, "to preach the Gospel," Paul also employs when instructing the Galatians that "the Gospel was preached before unto Abraham" (Gal. 3 : 7), *προεὐαγγελίστατο*, and to the Jews in the wilderness and in Canaan,

εὐηγγελισμένοι (Heb. 4: 2), and throughout their whole history. Unfortunate, therefore, is the criticism of Bengel, when he endeavors to show why Peter, instead of using this verb, used ἐκήρυξε in 1 Peter 3: 19. He remarks, "Peter would not say εὐαγγελίσατο, he *preached the Gospel*, even though a proclamation of grace were here intended, because the hearers had already fallen asleep before the Gospel times; therefore he uses the more general expression ἐκήρυξε, he *published*, or *proclaimed*, and speaks of Noah as δικαιοσύνης κήρυκα." But what could be more wide of the mark than such a criticism, which so many have adopted, and which has contributed, far otherwise than Bengel intended, to support the doctrine of preaching in Hades? Abraham and the Jews were dead. The antediluvians, Moses, and Malachi were dead. If Bengel's reason was good for Peter, it should have been equally good for Paul; for the persons to whom Paul applies it had also "fallen asleep before the gospel times." Nothing is clearer than that, in New Testament usage, the classic κηρύσσειν and the Christian εὐαγγελίζειν are convertible terms. But, even granting to Bengel the distinction he craves, and remembering how Peter assures us that the time of the holy men of old was occupied with the study of the "sufferings and glory" of Christ, and how Paul assures us that the ears of dead generations had listened to the witnesses of Jesus, then with what crushing force does the use of the verb εὐαγγελίσθη in the mouth of Peter himself fall in 4: 6 upon those critics who strive to make him teach that the Gospel, as such, was offered to none, until between His death and resurrection!

2. But something more is predicated of the νεκροῖς, to whom the Gospel was preached in time past—a predicate not less true of many who believed it under the old dispensation, than of many who have believed it under the new. It is that they were subject, on account of their profession, to a violent and unjust condemnation in the flesh, a judicial sentence even unto death, after the manner of men—"that they might be judged according to men in the flesh." Here again the force of the Aorist in κριθῶσι appears, showing that their condemnation was contemporaneous with their profession and earthly life. It cannot be denied that the κρῖναι ζῶντας καὶ νεκρούς of verse 5 refers to a *divine* judgment, of which the whole mass of mankind

are the objects. It can no more be evaded, or turned aside to a merely spiritual interpretation, that the *κριθῶσι* of verse 6 is a *human* judgment of which the class included in the *νεκροῖς* of the same verse are the objects; and that, whereas that first divine judgment of all mankind was incidentally introduced by the apostle to show that persecuting blasphemers of the Gospel, whether living or dead, should never be able to escape the final and solemn assize, but must give account unto God, this last human judgment by these very blasphemers, upon the confessors of the Gospel, is introduced to show that, notwithstanding its unrighteousness, and the unutterable suffering to which its victims are exposed by human hands, and according to a carnal standard, God would still vindicate them, and that, though put to death by human power, they should yet triumph gloriously over all their persecutors, and live eternally by the power of God. Is it possible, for one moment, to even dream that such consequences here contemplated as following gospel preaching in times of hottest persecution, and even in all ages of the world, among men in the flesh, could find place in Hades? Or are the effects of such preaching presumed to be different there upon the confessors of Christ, and the powers of hell alike, from what they are here on earth? Is it true that the nearer we approach the seat and centre of Satan's empire, the more tolerant of Christianity is the kingdom of darkness? or that consequences which can only happen to men in the flesh may also happen to disembodied spirits—tribunals, accusation, defence, judgment, chains, torture, the cross, the martyr's flame, for Jesus' sake? And if not, then to what other conclusion are we driven than this—the one to which we are shut up on every side, turn as we may, go up or go down—viz., that by the preaching of the Gospel to the "dead" is meant that they heard it *while living*, and that to all who believed it, and suffered for its sake, or were put to death on its account, even as their Master suffered, a present life in glory and a resurrection crown are their irreversible reward? By no human ingenuity can the force of *κριθῶσι κατὰ ἀνθρώπους σαρκί*, be tortured aside from a judicial sentence pronounced by human tribunals upon men in the flesh. Arraignments of divine justice, assaults upon the moral government of God, Anglican Broad-churchism,

a swerving Protestantism, the "*Zeit-Geist*" of an unbelieving century, a rationalistic exegesis colored by assumptions contradicted by every page of divine revelation—all may conspire to do for the Reformed faith what the Reformed faith did for Popery and its superincumbent mass of Pagan traditions with which it overloaded and obscured the truth of God; but the grammar, the lexicon, and history alone will vindicate that truth in face of all opposition.

That the action expressed by the verb *κριθῶσι* is "*judicial*," is admitted on all hands, even by those who interpret it spiritually, and refer the death therein included to a gospel condemnation and mortification of the flesh, as do Augustine, Luther, Erasmus, Socinus, Whitby, Brown, and others; as also by those who interpret the death, implied, to natural and eternal death as a *divine* judgment in whatever way it comes, as do Pott, Grimm, Mombert, Steiger, Huther, Nitzsch, Alford, De Wette, Schott, and others. There can, however, be but one true historico-grammatical interpretation. It is that *κριθῶσι* denotes here a *human* judicial sentence of death consequent upon a criminal accusation; and not only including generally all who have suffered for their profession of the Gospel in any age, but most especially referring to those who went to martyrdom, or might be subject to the same, for Jesus' sake, in times of Neronian persecution. So Tertullian, Chrysostom, Calvin, Beza, Grotius, McKnight, Hammond, Scott, Wetstein, Rosenmuller, Zezschwitz, Benson, Lightfoot, Owen, Barnes, Lillie, besides historians such as Hinds, Mosheim, Kurtz, Neander, Milner. This interpretation is supported, in the clearest manner, by the use Peter has made of technical judicial terms throughout his epistle, such as *ἐπηρεάζοντες*, 3: 16, "falsely accusing"—a term thrice used in the New Testament, and always in a judicial sense, as Grotius and Schleusner remark; *λόγον*, 4: 5, an "account," as Grotius renders it, "*responsio*," a formal answer *ἀιτοῦντι*, not alone to any one asking a reason in an ordinary sense of the Christian hope, but to the "inquisitor," as the Peshito Version has it, and in a higher sense to God, who judges the blasphemer; *ἀπολογία*, 3: 15, an "answer," *i.e.*, a defence before a tribunal, the term used by Paul himself before a Roman court and the Jewish multitude; *κρίμα*, the

"judgment" itself—all of them judicial terms employed by Xenophon in the *Memorabilia*, narrating the judicial proceedings against Socrates. The whole tone and style of the epistle are consolatory amid existing persecution.

That a *physical* death, a capital sentence passed upon criminals, so regarded for Jesus' sake, is contemplated in the action of the verb *κριθῶσι*, is further put beyond disproof, not only by the historic circumstances that affected the composition of the epistle, but still further by the grammatical adjuncts, that qualify the action of the verb itself. The *νεκροί* who are said to have been condemned, are said to have been condemned, *κατὰ ἀνθρώπους σαρκί*. What does this qualifying expression mean? Certainly not the private opinion and unauthorized gloss of the advocates of Hades-preaching, viz., that "the Gospel is preached to those who are now literally dead and departed to the under-world of spirits, in order that, at the judgment of the last day, they may be judged according to the same principle of judgment, i.e., the Gospel, viz., whether they have refused or accepted Christ."¹ Certainly, *κριθῶσι κατὰ ἀνθρώπους σαρκί* is not intended to contradict the express teaching of the Scriptures, that they who have no written revelation from heaven shall be judged at the last day by the light of nature, their own consciences being witnesses against them, and that they who have received the written law and sinned under it shall be judged and perish under that law; while they who have received the Gospel shall be judged by the Gospel, and that degrees of punishment will be proportioned respectively to the guilt under each rule. There is certainly nothing in the grammatical construction of this clause to even intimate that the Gospel alone is the *one sole rule* of judgment for all mankind at the last day, and that because of this God is under obligation to publish that rule in Hades, by some means or other unknown to us, and unrevealed by himself, or stand convicted as an infinite Draco before the assembled universe. "Is the law sin?" "Is there unrighteousness with God?" Is it for sin only against the Gospel that the world will be judged? So preached not Paul to the heathen at Athens (Acts 17: 31). So wrote not

¹ Heard, *Tripartite Nature of Man*, p. 281.

Paul to the heathen at Rome, assuring them that in the very day when God shall judge the secrets of men by Jesus Christ according to the Gospel, even then, "as many as had sinned in the law shall be judged by the law," and "as many as have sinned without law shall also perish without law" (Rom. 2: 12-17). Certainly the *κριθῶσι* (verse 6) is not the same as the *κριῖναι* of verse 5, that referring exclusively to a *divine* judgment, the last of all; this to a *human* judgment inflicted by blasphemers upon the confessors of Christ. And it is just this antithesis the *κατὰ ἀνθρώπους σαρκὶ* intensifies. *Κατὰ ἀνθρώπους* is an adverbial accusative, qualifying the precise manner of the action expressed by *κριθῶσι*, while *σαρκὶ* is an adverbial dative, defining the antecedent condition, cause, or means, through which the action of the verb is effected, and without which it could not have occurred. The whole is a compound adverbial adjunct limiting the action of the verb to human circumstances and conditions in time, the grammatical anchors that hold back the *εὐαγγελίσθῃ*, or preaching of the Gospel, from Hades, and demonstrate that both the preaching and the judicial condemnation consequent upon it were effected upon the *νεκροῖς* previous to their disembodied state. The *time* of the condemnation was the *time* of the preaching. Both were done while the dead were *σαρκὶ*, in the flesh. Both were subject to a human condemnation, a judicial sentence of death *κατὰ ἀνθρώπους*, or so far as relates to men. Without *σάρξ*, or the flesh, the dead could not have been judged *κατὰ ἀνθρώπους*. Without *κατὰ ἀνθρώπους*, the judgment could not have been human. The dative is a dative of instrumental agency, the cause and means of the very possibility of the action. It was only "by virtue of," or "through," the flesh the execution of sentence of death was possible. The accusative is an accusative of relation. It was only so far as men are concerned the sentence was actual. God, who raises the dead, takes care of the rest. Manward the martyrs died. Godward the martyrs live. Nothing is clearer than that a condemnation to death, after the manner of men, or so far as men are concerned, and through the flesh, means a judicial sentence inflicted by human hands, of which how soon were Ignatius in the amphitheatre and Polycarp in the flames to become only

additional illustrations! And now, the syllogistic *οὖν*, verse 1, upon which the advocates of Hades-preaching rely to bind 4:6 to 3:19, is a very lever to overturn their entire doctrine, for it opens a flood of light upon the great example Peter was enforcing, even he who denied his Master in the court-yard of Caiaphas, that as it had happened to Jesus to be "put to death in the flesh" by an unrighteous Roman judgment, though innocent, and yet that his spirit passed to his Father's hands in Paradise and his body rose triumphant from the grave, so should it be with all believers, and especially glorious in the case of martyrs. Therefore arm for martyrdom! Gird on the Jesus-panoply! Think it not "strange" concerning the *πρώσις* or the trial of faith, *διὰ πύρρος*. Remember Abel and Stephen dead, Isaiah sawn asunder, the Hebrew children in the fire, Maccabean valor and faith in God superior to torture, not accepting deliverance, in hope of a better resurrection, and most of all Jesus and Golgotha! Arm for martyrdom!

Such are the grammar, history, context, and scope. The phrase, "Judged according to men in the flesh," means a sentence of death inflicted by human hands, and, as the context shows, in consequence of the preaching and profession of the Gospel in this life, therefore no effect of any post-mortem proclamation of salvation in Hades. Camerarius, therefore, is correct when saying, in his critical notes on the passage, that *κρίνεσθαι κατὰ ἀνθρώπους σαρκὶ* means to be adjudged to death after the manner of men, *i.e.*, "by a judicial tribunal." So Schmid, "judged humanly." So Huther and Frommuller, though advocating Hades-preaching—the first, "judged according to the manner of men;" the second, "judged by judicial sentence." So Bengel, "judged on account of men." So Alford, "judged according to men as regards the flesh." And such is the force of the expression, as may be seen in all the standard grammars upon *κατὰ*. The version of Wycliff, 1380, renders it "demed by men, in fleisch." That of Tyndale, 1534, "condemned of men, in the flesh." That of Coverdale, 1535, "judged like other men, in y^e flesh." That of Cranmer, 1539, "judged like other men in the flesshe." That of Geneva, 1557, "condemned according to men, in the fleshe." The Rhemish Version, 1582, has it, "judged indeede according to men in the

flesh;" and the Peshito, as given by Murdock, "judged as persons in the flesh." Calvin's language is, "This word judged here means condemned;" and his late editor adds in further explanation, "The Gospel was preached for this end, that they might be condemned to die by wicked men. There is no other view so consistent with the whole tenor of the apostle's argument."

The true interpretation, therefore, of νεκροῖς, verse 6, is grammatically fixed as limited to those to whom the Gospel was preached *while living*, and with special emphasis to the martyrs of Jesus. The *time* of the preaching is defined first of all by the Aorist tense-force of εὐαγγελίσθη; next by the Aorist tense-force of κριθῶσι; next by the adverbial accusative, κατὰ ἀνθρώπους; and next by the adverbial dative, σαρκί. The "dead," therefore, of verse 6, νεκροῖς cannot be numerically commensurate with the "dead" of verse 5, nor can the preaching to the dead be any supposed preaching to the "spirits in prison" (3 : 19). For the effect of the preaching on those who believed it was to expose them to a martyr's death—a thing impossible in Hades. The disembodied dead in prison are not in the flesh, and cannot be judged by any human tribunal in the flesh. All the conditions antecedent to the possibility of the judgment expressed by the verb are wanting. And this is the doctrine of the Reformed Protestant Church, ever teaching that to the dead, *only when living*, was the Gospel preached, and that all interpretations of either 1 Peter 4 : 6 or 1 Peter 3 : 19 to the contrary are perversions of the Scripture. So De Moor: "Refertur ad homines nunc mortuos quibus olim dum viverent in terris Evangelium annunciatum fuit." So Wendelin: "Qui nunc jam in Domino obdormierant, corporaliter mortuos sed pie defunctos qui propter testimonium Christi et fidei confessionem trucidati erant." So Beza: "Illis prædicaretur Evangelium qui vivi erant, nunc verò sunt mortui." So Turretin: "Illis qui jam mortui sunt sed qui olim vivebant dum illis evangelizatum fuit." So Van Marck: "Dum adhuc viverent in terris." So Lampe represents the Reformed interpretation: "Illis qui antequam mortui essent, dum adhuc in vivos versarentur, evangelizatum fuit." So Ebrard, speaking of the false doctrine reared upon the false

interpretation, says the Reformed rightly rejected it as un-biblical: "Die Reformatoren verwarfen mit Recht diese un-biblische Lehre." And even Schenkel declares that there is not the slightest authority in either of the Scripture texts (1 Peter 3 : 18-21 ; 4 : 6) for the doctrine that Christ descended either to win a victory over lost spirits or preach terror to the damned: "Die Schriftstellen, auf welchen das Dogma von dem Hingange Christi in das Todtenreich ruht, enthalten von einem Siege Christi über die Dämonen und einer Schreckenspredigt an die Verdammten nicht die leiseste Spur." And so Bengel concludes that "From this very thing—namely, that they might be *judged*—it is plain that the preaching of the Gospel which is meant was *before* the death and not subsequent to it. The Gospel is preached to no one *after* death. Christ himself preached to those who had *formerly lived* (1 Peter 3 : 19). *While they were alive*, he caused himself to be preached to them by the Gospel (4 : 6)." And so Barnes, upon the text, "There is *no hope or prospect* that the Gospel will be preached to those who are lost. Men should embrace the Gospel *now*." If any thing further were needed to support this part of the interpretation, it would suffice to show that both the Greek verbs used in the New Testament to express the function of preaching denote a proclamation of the Gospel by audible voice, in time to men in the flesh, by men who are also in the flesh. After all the adverse criticism of the Reformed interpretation by Alford, he is compelled at last to say of Calvin's view, "It must be confessed that it agrees better with the context, viz., that for this very reason was the Gospel preached to those among you who have suffered death at the hands of persecutors—even hereunto were they called—that they might indeed be judged, condemned, by human persecutors as regards the flesh, but live, notwithstanding, eternally with God as regards the spirit." How complete would this view have been had the force of *πνεύματι* been thoroughly understood!

This brings us to the last thing predicated of the *νεκροῖς*, verse 6. It is that they "live according to God in the spirit;" or, more accurately rendered, "they live as respects God by divine power," by the Spirit. It is the counterbalancing com-

pensation that outweighs their transient torture and the sharpness of death. What Peter here says, in his own peculiar style, Paul speaks of when he tells us they that are fallen asleep in Christ are not perished. It is the glorious vision John saw in Patmos, "the souls of them that were slain for the Word of God and for the testimony they held," resting first under the altar of sacrifice (Rev. 6 : 10), then robed in white "before the throne" (Rev. 7 : 15), then clothed with their glorious bodies raised from the dead, living and reigning with Christ a thousand years (Rev. 20 : 4). Vision of suffering, victory, and glory! The human sentence has not injured them. Condemned, they are justified. Dead *κατὰ ἀνθρώπους*, they yet live *κατὰ Θεόν*. Human power decreed them a temporal punishment. Divine power penetrates them with an everlasting victory, body and soul. Their souls pass immediately to glory. Their bodies are sharers in the resurrection of the Crucified. The tense of *κριθῶσι* is past. The tense of *ζῶσι* is present—they still live—the subjunctive mood always carrying with it a relation to future time indefinite, "with the accompanying idea of permanence of result" (Kühner, 357; Winer, 303). The other side of the martyr-tableau is before us now. The *κατὰ Θεόν* is an adverbial accusative, qualifying the precise manner of the action expressed by the *ζῶσι*; while *πνεύματι* is an adverbial dative, defining the antecedent condition, cause, or means through which the action was effected, and without which it could not have occurred. The whole is a compound adverbial adversative adjunct qualifying the *ζῶσι*, and precisely in the same way that the previous adversative adjunct qualifies the previous adversative verb.

Here, once more, as at 3 : 19, the critics labor blindly, and go most painfully astray, misinterpreting the *πνεύματι* here, as they have done there, of the human spirit. Just as there it is interpreted to mean the *human soul* of Christ quickened into a higher life for a mission to Hades, and not the divine virtue by which his dead body was raised from the grave, so here it is interpreted also to mean the human soul of the believer or of the martyr, and not the divine power by which the resurrection of his body from the grave is achieved. The parallel between Christ and his people and the force of the illative *οὖν*

in verse 1, keeping ever before us those memorable historic events of April 7th and 9th, A.D. 30—the Death of Jesus on Calvary and His Resurrection from the Tomb of Joseph of Arimathea, both pictured in 3 : 18—are forgotten. True, indeed, the dead in Christ live, as to their souls, in glory. But that is not the chief thought in the foreground of the martyr-canvas here. It is the resurrection of the body and the glorious appearing of Jesus Christ, who will reward with an imperishable crown the faith that has been tried by fire (1 Peter 1 : 3-8). The bottom blunder of the whole exegesis of the advocates of Hades-preaching, as groundless as it is destructive of truth, is persisting in the false interpretation of the adverbial dative πνεύματι (3 : 19), as of the *quicken*ed human soul of Christ, and then importing the same false interpretation into the same adverbial dative πνεύματι here (4 : 6), as of the *quicken*ed human soul of the martyr. True, the dead believer's spirit lives on after the death of the body, and in blessed life and glory. It never dies (John 26). The ζῶσι involves and requires that spiritual life. But as it is the death of the body that is foremost here, in the concessive clause, it is the resurrection of the body that must be foremost in the succeeding adversative clause, with its adversative verb and adversative adjuncts. The life-action which is κατὰ Θεὸν πνεύματι, stands opposed to the death-action which was κατὰ ἀνθρώπους σαρκί. The disaster occasioned by the κριθῶσι is repaired by the ζῶσι. The discourse, as the Schoolmen would say, is not merely concerning life "*simpliciter*" or absolutely ; but it is "*secundum quid*," or in reference to a particular aspect of life, viz., the resurrection of the body. The thought in both the verbs is "*de eadem re*"—to the same point. The πνεύματι here, as in 3 : 19, means the divine breath, or the divine energy, the "Spirit of Holiness," or Holy Spirit, whereby the bodies of the martyred dead and of believers in all ages shall be made to revive and bloom at the last day, when death is swallowed up of victory—as the faded grass revives and withered flowers rebloom in the morning dew, after the hot breath of the sirocco has passed over them (Isa. 26 : 19). The dative is here precisely what it is in the cognate verse, 3 : 19, the instrumental cause or agency by which the action of the verb is effected. Peter means to

affirm, for the consolation of the early martyrs, that the fortunes of Christ and his people are bound together in a common conformity—He consecrated to them through the truth for their sakes, they consecrated to him through the same truth for his sake, and, on this ground to cause them to rejoice even in death, and go, singing, to the flame, as he went singing from the supper-table to the agonies of Gethsemane, the Syrian guard-room, and Golgotha (Matt. 26 : 30). Bengel catches the sense of the passage when he says that the whole aim of the preaching of the Gospel is “im Leben und Sterben Christo ähnlich zu machen”—to make us like Christ in life and death. The *parallel* is perfect between the Greek construction here, 4 : 6, and the construction 3 : 18–21. The example of Christ is the mould into which Peter casts the martyrs. The sufferings and glory of Christ there are reflected in the believer and the martyr here. The κριθῶσι, or “condemned,” here, corresponds to the θανατωθεῖς, or “put to death,” there ; the ζῶσι, or “live,” here, to the ζωοποιηθεῖς, or “quickened,” there ; the σαρκί, or “through the flesh,” here, to the σαρκί, or “through the flesh,” there ; the πνεύματι or “through the Spirit,” here, to the πνεύματι or “through the Spirit,” there. On the one side humano-satanic power inflicting death, on the other side divine power raising the dead ; the serpent bruising the heel of Christ, and the Serpent-Bruiser bruising, in turn, the head of the serpent. The adversative clauses there correspond to the adversative clauses here ; the μέν and δὲ there, to the μέν and δὲ here. The passages are mutual analogues—rather, that the original, this the copy. Sufferings and glory there for Christ, and sufferings and glory here for believers, and with special noonday darkness on the one hand, and peculiar splendor of resurrection morn on the other, for martyrs as for Jesus himself. Not only spiritually but literally, they have been planted into the likeness of his death and into the likeness of his resurrection. And to this very end was the Gospel preached to them, to tell them “No cross, no crown,” or that though they had suffered for its sake, on the one hand, *that*, yet on the other hand, *this*. What the datives are in 3 : 19 they are also in 4 : 6—the means by which the action expressed by the verbs is brought about ; and sunlight is not clearer than that, as in the case of the

ἡριθῶσι, this means is human and ordinary, so in the adversative case of the *ζῶσι* this means is miraculous and divine. As it is not the *πνεύματι* (3 : 19) that is contemplated as "quickened," but the dead body of Jesus in Joseph's tomb by means of *πνεύμα* or divine power, so it is not the *πνεύματι* (4 : 6) that is contemplated as made to "live" after its own death, but the dead body of the martyr by means of the *πνεύμα*—the same divine "Spirit of Him that raised Jesus from the dead." And just as the true criticism of *πνεύματι* (3 : 19) destroys at once the whole figment and false doctrine as to the descent of the human disembodied soul of Christ to preach to the "spirits in prison," so does the true criticism of *πνεύματι* here (4 : 6) destroy at a stroke the same figment and false doctrine as to preaching to the "dead," with every syllable of defence that either Lange, Huther, Alford, Mombert, Delitzsch, Van Oosterzee, Farrar, Romanist, Lutheran, Broad-Anglican, or Broad-American advocates have to utter in its behalf. They have not so much as an iota of grammatical foundation on which to stand, still less any historic. The root of their doctrine is rottenness, and its blossom goes up as the dust. For if that doctrine be true, then, so surely as Greek is Greek, and Syntax and Usus are a rule, and the judgment in verses 5 and 6 are held to be the same, and the Gospel the one sole standard of judgment—so surely is the apostle made to declare that to this end is the Gospel of Christ preached, viz., in order that, first of all, men may be condemned of God to eternal perdition for rejecting it, and then on the other hand live a divinely spiritual life in the higher and better part of their nature for accepting it!—that is, survive by means of the Gospel their own damnation by means of the Gospel! This is universal salvation "with a vengeance"! But it is not so. *Πνεύματι* does not mean the human spirit, but the divine, and the subject of the life is the same in both 3 : 19 and 4 : 6—the quickened body. It is the "hope" of the resurrection at the appearing of Christ that is foremost in Peter's thoughts, and he claps it on the head of the martyrs as a "helmet" of salvation. Of all the modern critical grammarians who have touched the passage, Winer stands the chief, supporting the criticism of Camerarius, that by *πνεύματι* is meant "divine power," and not the soul of the martyr, nor

his spiritual life, but *δυνάμει*, or as Beza has it, "per virtutem Dei." He says, "In 1 Peter 4 : 6, *κατὰ ἀνθρώπους* means after the manner of men, and is qualified by the annexed *σαρκί*; as *κατὰ Θεόν* means after the manner of God, which is qualified by *πνεύματι*—*for God is a Spirit*" (Winer, Gram., 420).

The whole verse is of peculiar construction, and not the least peculiar is the combination of the conjunction *ἵνα* with the particles *μὲν* and *δὲ*—a construction most frequent in the Greek language, several instances of which are found in the New Testament. The *ἵνα* with the subjunctive Aorist *κριθῶσι* expresses not the mere possibility of the realization of the condemnation, nor that it is in any sense inward or subjective, but contemplates it as a fact, and as the actuality of the design of the preaching, which was a literal objective judgment upon believers *σαρκί*. This *ἵνα* has to do with two distinct clauses, bound to each other and to itself by the particles *μὲν* and *δὲ*. The combination *ἵνα—μὲν* shows that the clause where it is found is a subordinate clause, and the action of the verb *κριθῶσι* on which the *ἵνα* first terminates as antecedent to the *ζῶσι*. It admits the literalness of the death in the flesh. At the same time, the *ἵνα* is drawn, both grammatically and logically, by means of the adversative *δὲ*, over to the *ζῶσι*, on which it rests, indicating that, as in contrast with the death just conceded, the life is the predominating and principal thought. Schmid's remark is aptly expressed : "*κριθῶσι* is only grammatically, not logically, dependent on *ἵνα*." Had the necessary words "although" and "yet," required by the *μὲν* and *δὲ*, which were simply thought-marks for the Greeks in their own language, been expressed in ours, the meaning had been clearer. The translation of all such double-membered sentences, bound by *μὲν* and *δὲ*, requires these words to indicate that the first clause is concessive and subordinate, while the second is the principal one, expressing the principal aim (Winer, 305; Buttmann, 139, 149; Matthiæ, II. 934; Kühner, 178, 506; Crosby, 601). The main end of the Gospel is not to subject men to martyrdom for its sake, although suffering and death are necessary. That is a subordinate end. The main end is eternal life to body and soul. "*Although*," on the one hand, that, "*yet*," on the other hand, this. What Peter means to teach the persecuted of

the Dispersion is, that the Pagan and Sadducean doctrine, "Death is the end-all of all things," and that to profess a gospel that brings only death is a folly, is false. He means to teach "that though according to the estimation of the world the dead suffer *destruction* in the flesh" (Calvin), yet their victory through Christ is assured. So McKnight, "*although* they might be condemned indeed by men in the flesh, yet," etc. So the German critics, "wiewohl—doch." The construction is the same as in 3:19, "*although* put to death through the flesh, *yet* raised through divine power;" and as in Rom. 6:17, "*although* ye were the servants of sin, *yet*," etc.; and as in 8:10, "*although* the body be dead because of sin, *yet*," etc. Clear, sharp, strong, is the antithesis enforced by these adversative particles intensifying the last and supreme adversative clause, with its adversative adjuncts. The whole critical rendering, giving the force of the whole construction, is, "*For to this end was the Gospel preached even to the dead, namely, in order that, although, on the one hand, as respects men, they might have been judicially condemned to death through the flesh, yet, on the other hand, as respects God, they may still live through divine power.*" This is the force of the Greek.

Lastly, it is claimed, with triumphant tone, by the advocates of preaching to the dead after death, that the presence of καὶ before νεκροῖς is proof that the Gospel is preached in Hades. The office of the conjunction is said to be, not copulative, but intensive of the verb εὐαγγελίσθην, and designed, as Alford has it, to carry up the preaching "*to a climax!*"—that is, not only to those who have lived, but *even to the dead after death*, the Gospel is preached! It is enough, perhaps, simply to note that the "dead" are referred to, here, as dead, precisely in the same way as when Naomi referred to Mahlon and Chilion, to whom, when living, the special kindness of Orpah and Ruth, the daughters-in-law of Naomi, had been shown. "The Lord deal kindly with you, as ye have *dealt with the dead*, and with *me*." Suppose some critic should suddenly astonish the world with the news that the Bible teaches us it is possible for the living to bestow kindness on the dead after death—not in paying for masses after the Roman fashion, but in the donation of "bread" after the Moabite style! Would not the world

regard the critic as insane? Surely it needs no scholarship to inform us that the dead are spoken of as "dead," here, only in respect of the time of the speaker, not in respect of the time of the kindness. Precisely so, the dead are denominated "dead" by Peter, only in respect of the time in which he was writing, and not in respect of the time of the action expressed by *εὐαγγελίσθη*. So Beza, representing one great section of the Reformation, "sui temporis respectu." So Episcopius, representing another section, "qui tunc sui temporis respectu." But, it is insisted, the *καὶ* is intensive of the preaching, and intimates the injustice of eternal judgment upon the wicked, unless they have first had the offer of the Gospel. The answer is clear. The *καὶ* is not intensive of the preaching, but explicative of the *νεκροῖς* before which it stands, and is put there to answer a world of objections current in the apostle's time—a Pagan and Jewish world, full of them. Peter was writing to his brethren of the Dispersion scattered everywhere throughout the Roman Empire. He knew well the prejudice against the Gospel, and what objections his brethren had to meet, beset as they were not only by their unbelieving kinsmen according to the flesh, but by Sadducean Greeks and Romans, dissuading them from the "new doctrine," which exposed them only to suffering and death. To his declaration (verse 5) that God is ready to judge the "*dead*" as well as the living, and punish all who do not believe the Gospel, the unbelieving Jew would at once object, as he did, that then the Old Testament saints must all perish, according to the Christian theory that man's righteousness by law is vain, and the Gospel alone saves, because the Gospel was a "new" thing, unknown till the time of the Nazarene. The Pagan's reply to the declaration about judgment would simply be the Epicurean materialism of the hour, "Edite, bibete, cras moriemur!" Death ends all! Peter's *καὶ* before *νεκροῖς* is the polemic against both these objections to the perseverance in the Christian faith by the martyrs. It supplies them with an answer to their enemies. No, responds Peter to the blaspheming Jew. The Gospel is no "new doctrine" of the crucified Galilean. It came to the Old Testament fathers, as well as to us. "*Even* to them, the *dead*, it was preached, as well as to us the, living." Its design, doctrines, and consolation have been the same in

all ages—the victory of glory over suffering, of life over death, from Adam to Abraham, to Moses, to Christ. It has had martyrs before; mockers and blasphemers, as in Noah's day, and their damnation slumbers not now, as it slumbered not then. It was the theme of the prophets. The fathers have fallen asleep in Christ, and their bodies and ours will be raised together at the last day. It is an old doctrine. Never has the Church existed at any time, anywhere, in any form, without Christ and his Gospel—without the doctrine and hope of the resurrection of the dead. And this is answer enough to repel the scoff of the materialistic Pagan as well, and abundant confirmation and consolation for the persecuted Christian confessor. It is plain that the dead are called "dead" by the apostle simply in respect of his own time, not in respect of the time when the Gospel was preached to them.

The historic circumstances, therefore, that moulded the character of the composition of the epistle fully explain the reason why the *καὶ* was introduced by Peter before *νεκροῖς*. It is not *καὶ* intensive, but explicative, telling why a reference to the dead, to whom the Gospel was preached, is introduced as a part of the martyr's consolation. It was to support the sufferers in the flame with the memory that their fathers who had suffered before them for Christ's sake were sharers with them also of the same hope of glory. It is a return, at the close of the exhortation, to the inspiring motive in the doxology at the beginning. What earnest protest ought it not to excite in our minds, in view of all the facts developed by our criticism, when, opening modern commentaries on the text, written in the very bosom of Protestantism, we read such expositions as the following: "The apostle meets the objection, Can the dead be judged? Yes. For, for this very purpose, Christ as aforesaid *preached the Gospel in Hades to the dead*"! And again, "The verse is to prove, not the reality, but the *moral possibility* (!), the *justice* (!), of a judgment, even on the dead, since the Gospel was preached to them also, for the purpose of giving them the means of being delivered from the wrath of God"! And how much more of the same kind! (Lange on Peter.) The comment is an impeachment of the character of God in the punishment of the wicked, unless he has first given them the opportunity to hear

the Gospel, and at the same time an effort on the part of man to provide a door of escape for God from the criticism that arraigns his righteousness against sin as unduly severe. It denies his right to "spare not the angels that sinned," and to "spare not the old world," Sodom and Gomorrah; or to punish, under law alone, Babylon, Nineveh, Tyre, and Sidon. No. The design of the verse is not what such comment affirms it to be. God is just in punishing the violators of his law, even where the Gospel has not been heard. The design of the verse is to afford encouragement to martyr-confessors who already had the sentence of death in themselves, and teach them to trust in God, who raises the dead; to assure them that they who are fallen asleep in Jesus are not perished, but are sharers with him, of immortality; and that his divine virtue not only penetrates their souls eternally, but shall reanimate their martyr-ashes from their urns, and fashion their bodies into forms of fadeless beauty and glory. It is a very "*Peristephanon*," as Prudentius would call it. Even to the "dead" the saving efficacy of the redemption that is in Christ extends. It is the "death of death, and hell's destruction!" They live! They shall live, body and soul, forever! So Calvin, most beautifully, in a passage of the "*Institutes*," part of which has been so often perverted: "The context," says he, "gives us to understand that the faithful who died before that time were partakers of the same grace with us. For the apostle amplifies the efficacy of the death of Christ from this consideration, that it penetrated even to the dead" (*Inst.*, II. 16). So, on the passage itself, in his Commentary: "Death does not hinder Christ from being our defender. It is a remarkable consolation to the godly, that death itself brings no loss to their salvation. Though Christ, then, may not appear as their deliverer in this life, yet this redemption is not void, nor without effect, for his power extends to the dead." That is, the dead in Christ still live, and their bodies shall live also. This is a comment of fine gold, compared with which most of what we get now is as dross. And so, with equal clearness, did Bishop Pearson discern the meaning of the text when saying upon it, "It is most infallibly certain that the death of Christ was as powerful and effectual for the redemption of the saints before him as for those which follow him"

(On the Creed, 373). Not less clearly did Dr. John Lillie catch the truth, though at another angle, in his comment, when saying "that the Christians should die at all, seems to have occasioned perplexity in the apostolic community, glowing as it was with the hope of the Lord's speedy appearing in glory. And now, in the advanced period of the apostolic age, when the fires of persecution were fast kindling around the church, it was all-important that her members should be reassured that the gracious design of the Gospel had in no wise been defeated in the case of those who had already fallen asleep" (Lillie on Peter). And so may be applied the equally beautiful and simple words of Archbishop Leighton: "Such as had heard and believed the Gospel when it came to them are now dead; he mentions these to strengthen the brethren to whom he writes. He commends the Gospel to the intent that they might not think the condition and the end of it hard. Just as the Saviour mollifies the matter of outward sufferings thus: '*So persecuted they the prophets that were before you!*'" (Leighton on Peter.)

From what has been said, it is perfectly clear, if there is any truth in grammar, history, lexicon, or analogy of the faith, that the whole doctrine of the Descensus of Christ's human soul to Hades to preach to human souls there, founded on 1 Peter 3: 18-21, and the cognate 1 Peter 4: 6, is nothing but "the baseless fabric of a vision."¹ Notwithstanding the unlimited assertion of Van Oosterzee, that these texts "admit of no other interpretation" (II. 560), and the equally universal announcement of Alford, that if 1 Peter 4: 6 means the Gospel was preached to the dead, when living, then "exegesis has no longer any fixed rule, and Scripture may be made to prove any thing (IV. 373), we venture to think that both these assertions are unworthy the opportunities that exist to find something more consistent with the Word of God, something that will not seem to make the

¹ "It was not for three hundred years, or more, after the death of Augustine, that the Apostles' Creed was expanded to its full dimensions, and the last clauses added thereto were on the Descent into Hell, the Communion of Saints, and, finally, the addition of the words 'Maker of Heaven and Earth' to the first article." "The Arian Sirmian Creed first introduced the phrase which now stands in the Apostles' Creed, 'He descended into hell.'"—"History of Creeds," Lumby, 62, 173.

Gospel a matter of obligation, on God's part, to the guilty. We are well aware of the prestige of high names, and what positive statements are made, with an air of supreme confidence, by those whose attainments give them a right to be heard. We read with amazement the deliverance of Frommüller in Lange on Peter, that "sound exegesis clearly establishes the *apostolic declaration* (!) that our Lord Jesus Christ, after his crucifixion, went in spirit to the place of departed spirits, and *there preached* to those spirits who, in the days of Noah, during the building of the ark, persisted in unbelief and disobedience." And, with like amazement, we read the following statement that "Peter, by *divine illumination*, clearly affirms the ways of God's salvation *do not terminate with earthly life*, and that the Gospel is preached beyond the grave to those who have departed this life without a knowledge of the same." And we have read over a dozen times, in astonishment, the specimen of Christ's Hades-preaching to the antediluvians, which Frommüller, in his assurance of the inspiration of his own view, has so confidently reported for the information of his readers, to wit: "You have merited death, both as to body and soul, because of your disobedience. You perished in the Flood, and were brought to this subterranean place of confinement. But a way of salvation has now been opened for you, so that you may *live in the spirit* as to God, according to the will of God." We have wondered if Frommüller or his readers observed that in one passage, not a page distant from the other passage, above quoted, he contradicts in the one what he admits in the other, viz., that the antediluvians had the Gospel preached to them, but *disobeyed* it (*ἀπειθήσασι*, *unpersuaded*); and that on this inconsistency he could found the doctrine that the Gospel would be preached, after death, to all who had never heard it before! And we are aware what influence such comment as this, found not alone in Lange, Alford, and Huther, but in others of wide fame, has had in moulding the new faith in both Europe and America, as to God's ways of salvation. Still we cling with unmoved conviction to the conclusion that all this so-called "sound exegesis" is only error, deep and dark, and, to many well-established doctrines of the Scripture, fraught with consequences dangerous and destructive.

That an illustration, used by the apostle to show the long-suffering of God to antediluvians, and at the same time their certain doom for disobedience to the Gospel and persecution of his saints; and a further declaration by the apostle, that saints in all ages, who suffered for the truth, had been supported by the hope of the resurrection and the appearing of Christ in glory, to judge the blasphemers and crown the righteous—should be interpreted so long, and now, in our own day, so strenuously, as an argument to prove a day of grace beyond the grave, is only an instance of what Ampère once so aptly said, “Time, if it does not destroy errors, embalms them.” It is plain that the great, the *sole* reliance of the advocates of Hades-preaching is their interpretation of 1 Peter 3:18–21. That settled, the interpretation of 1 Peter 4:6 is secured. We agree that the light of the first is that by which the meaning of the second is to be established. Truth there is truth here; error there is error here. Once concede that 3:18–21 teaches the descent of the human soul of Christ to Hades to preach salvation to the lost, and the syllogistic *οὖν* of 4:1 and the *γὰρ* of verse 6, even without binding to verse 5, will compel the interpretation that 4:6 also means preaching to the dead after death. If, on the other hand, the grammar, lexicon, history, and analogy of faith prove that 3:18–21 does *not* teach such a descent for such a purpose, both datives being a Jachin and Boaz of support, and ornament to a contrary interpretation, the death a literal death through the flesh, the life a literal life of the body through the resurrection power of Christ, the one by human agency, the other by divine—then, clearly, the same *οὖν* and the same *γὰρ* will compel the same interpretation of the similarly constructed 4:6. Otherwise—thanking Alford for that word—“exegesis has no longer any fixed rule, and Scripture may be made to prove any thing.” And that grammar, lexicon, history, and analogy *do* prove that no such descent is taught, either in 3:19 or 4:6; that there is not the slightest allusion to any descent of the human soul of Christ to Hades, or of any preaching in Hades, but only to the *σάρξ* of Christ and that of believers, to the tomb, and its resurrection by miraculous power, while, according to the word of Christ on the cross, their souls are assumed to be in “Paradise,” not in Hades—has, we think, been not only

abundantly but impregnably established, here and elsewhere.¹ To this hour, not a solitary criticism of any value, nor a solitary argument, has been added in the whole compass of the discussion, in support of the false doctrine whose encroachment is now everywhere, that the solid scholarship of the Reformed faith did not meet and vanquish three centuries ago. To perpetuate the blinding error, and even seek in the very bosom of Protestantism itself to confirm it by the Word of God, is a capital offence against the truth. The Scriptures do not afford even a ray of hope for the judgment of charity, much less a straw of foundation for an article of faith, to the intent that there is any such thing as preaching salvation to the dead after death. Dives Superbus craved a commission, not from earth to Hades, but from Hades to earth. Ulcerosus Pauper did not need it in Abraham's bosom. It is an error, resting for its foundation upon not one solitary passage of God's Word, properly interpreted, but solely upon misinterpretations of the Scriptures, Jewish fables, Mohammedan conceits, Pagan mythologies, Apocryphal authorities, Patristic novelties, Mediæval corruptions, Tetzels money-box, and the glare of a so-called "progressive exegesis," which, professing to draw out the doctrine of God, puts in the doctrine of men. Never, till what Canon Farrar calls the "proof-texts" prove that *πνεύματι* (3:19) means the human soul of Christ quickened into a higher life than it had before, can the Reformed interpretation be overthrown. Never, till the "proof-texts" evince by infallible demonstration that the time of the preaching was after death, and not before, can the long-lived error be regarded, by minds open to the truth and enlightened by appropriate study, as aught else than a complex of gigantic assumptions. The "Greek Kalends" will witness such achievement! "The words of Peter," says Bishop Pearson, expounding the Descensus, and criticising the appeal to the "proof-texts" for preaching to the dead after death, "have no such power of probation, except we were certain that the spirit there spoken of (3:19) were the *soul* of Christ, and that the *time* intended for that preaching were after his death, and before his resurrection. But the Spirit by which he is said to

¹ *Presbyterian Quarterly and Princeton Review*, April, 1875.

have preached was *not the soul of Christ*, but that Spirit by which he was quickened. Now that Spirit by which he was quickened is that by which he was *raised from the dead, i.e., the power of his divinity*" (On the Creed, 346, Phil. Ed., 1844). It is precisely the same Spirit that is the instrumental agency indicated by the *πνεύματι* (4:6), whereby the dead saints are raised from their graves, or their bodies made to "live" again. That their souls pass into glory and receive a higher life there after the death of their bodies, is denied by none. But that because of this fact the *πνεύματι* (4:6) should be diverted from its true antithesis and made to mean the human soul quickened to a higher life, and then this wrong assumption reflected back into the *πνεύματι* of 3:19, and that, too, made to mean the human soul of Christ, and then the meaning of that passage adduced again as proof that this passage means the human soul also, is not only a violence to all grammar, but a whirling waltz of interpretation as ridiculous as it is absurd. The text has nothing whatever to do with preaching to human souls after death. It expresses the glorious hope of the resurrection of dead bodies from the grave at the appearing of Jesus Christ, and presents this triumphant outcome of all suffering as the consolation of the martyr—a consolation that supported saints already "dead," and shared in by those about to die for Jesus' sake, and by all believers.

It cannot have escaped the notice of careful observers how both the passages above alluded to have very recently been pressed, with their false interpretation, into service against the biblical doctrine of eternal punishment upon the wicked to whom the Gospel has not been preached. The righteousness of God's law against sinners, condemning them to death on account of its transgression, is called in question, unless that condemnation is based upon the rejection of a previously-offered Gospel. The indications in many quarters are clear, that to this moral prejudice against the divine administration is due much of the labor bestowed upon the attempt to show that 1 Peter 3:18-21 and 4:6 teach preaching to the dead after death, and that the supposed exegetical difficulties are not, after all, the real reasons for preferring the false interpretation. The justice of God in the punishment of the heathen is held to be unjust, unless first of all the offer of salvation is made to them. Rhetorical and logical inconsequence, amenable to no canons of

interpretation, and displayed on the dark background of human misery, arraigns the divine administration as a tyranny to be repudiated, and substitutes another tyranny in its place—the revolt of individualism against a divine rule. From first to last it ignores the biblical conception of sin, its correlate conception of guilt, and the relation of eternal righteousness to both. Man is made the measure of his own moral acts and of the absolute nature of God. Satisfied abundantly with the material imagery of the Scriptures in their representations of heaven, it lifts a violent and protesting voice against their material representations of hell. It is not merely as against any imagery employed by Dante, Milton, Shakespeare, Jeremy Taylor, Augustine, or Aquinas, the objection is made. The protest reaches to the appalling imagery of the Bible itself. The old biblical doctrine is characterized as “mere insincerity,” “mere clericalism,” “mere professional sham,” “loose conjecture,” “hollow representation,” “a doctrine horrible,” “demonstrably groundless,” “built on the tyranny of isolated texts,” “the curse of Christendom,” “the glory of narrow minds,” “the tyrannous realism of ambiguous expression and asserted infallibility of isolated words,” a “sleepy shibboleth,” a “dead tradition,” a “hideous incubus,” a “dim and attenuated inference out of the narrow aperture of single texts,” drawn by men who “talk with the glib self-complacency of ignorance,” “unconscious blasphemy” of those who “speak readily of fire and brimstone and feel a consolatory glow of personal security as they dilate on the sufferings of the damned.”¹ And to prove the timeliness of this castigation, the two passages 1 Peter 3: 18–21 and 4: 6 are adduced as evidence that the sinner’s state is not fixed at death, but that a day of grace exists beyond the grave! Certainly, the state of mind necessary to produce such a catalogue of epithets as the above has not been the result of exegesis. A depth of intense moral disapprobation against God’s administration upon the basis of the old doctrine is clearly discoverable. And we feel confident that just there will be found the real solution of the reason why so many, in face of the true interpretation of 1 Peter 3: 18–21 and 4: 6 prefer the one that is without any biblical support whatever. It reveals, where it was not to have been expected, a retrocession from the old

¹ Canon Farrar’s Discourse on 1 Peter 4: 6, Nov. 11, 1877.

faith. "St. Paul," says Canon Farrar, on the text 1 Peter 4 : 6, "flings from him again and again, with a 'God forbid,' *the conclusions of an apparently irresistible logic.*" This information is startling. If we look at the passages where the repelling expression is found, scarcely any doubt will be left on our minds as to what the theological views are of those who concede the justness of the above remark. "Is God unrighteous who taketh vengeance? God forbid." "Do we then make void the law through faith? God forbid." "Shall we continue in sin that grace may abound? God forbid." "Is the law sin? God forbid." "Is there unrighteousness with God? God forbid." And so on. Are the objections which the objector makes to Paul's scheme of God's righteousness and sovereign grace the "conclusions of an apparently irresistible logic," which Paul, anticipating and challenging, "flings away again and again," with an indignant "God forbid"? So the advocate of Hades-preaching intimates, and we are bound to believe that, so intimating, he sympathizes with the objector, and with Paul's own supposed recoil from the supposed logical conclusions of his own premises! Such representations of the apostle are scarcely consistent with Paul's declaration that the objections are the fruit of a hardened and blinded mind, unsubdued, and at war with the sovereignty of God. The truth is, the advocates of the false interpretation of 1 Peter 3 : 18-21 and 4 : 6 deny the distinctive scheme of salvation as exhibited by Paul. They oppose the Pauline theology and prefer the Broad-Church liberal construction of the terms, mode, and way of salvation. They revolt against the doctrines of predestination, election, free grace, total depravity, a limited day of grace, and eternal punishment, as preached by Paul; and, to find a ground upon which to stand, represent the objections made to these doctrines as the conclusions of an irresistible logic, which the illogical Paul impatiently flings away. And Peter is brought in with two passages, one in each hand, 3 : 19 and 4 : 6, to justify the representation! When the advocates of Hades-preaching are driven to such straits in order to defend old phases of error, attired as new phases of faith, we may rest assured that the moment has come only for a brighter display of the truth of God that endures forever.

NATHANIEL WEST.

GERMAN THOUGHT AND SCHOPENHAUER'S PESSIMISM.

IT has become quite generally the fashion, especially in America, to assume one of two extreme attitudes with regard to German thought. There is a small class of thinkers who have applied themselves to the study of German theories since the time of Kant. The strenuous effort necessary for a mastery of these post-Kantian systems often produces an intellectual pride where a knowledge of them has been acquired. This accounts frequently for the devoted sympathy that is occasionally to be seen in American and English students for the philosophy of men like Schelling and Hegel. The series of English Hegelians who have come from Merton College, Oxford, is one example of this. The colony of American Hegelians at St. Louis is another.

We find, however, another class of students of German philosophy who have a less thorough acquaintance with the subject; who, trained in the more common-sense school of England or Scotland, look with disfavor, if not with contempt, upon the speculations of thinkers across the Rhine. German philosophy is described by them as "cloud-born," as "a web of the individual fancy," as "mystical," and by a variety of other expressions that convey only a partially correct idea. This class is largely represented in the chairs of our colleges. The attitude assumed by such men gives expression to the arguments so often urged against the special treatment of German systems before classes of philosophy. Young men are frequently warned against being led into wasting too much of their energy over these theories, that time has exploded or is certain finally to explode:

they are cautioned against losing themselves in the cloud fancies of Fichte and Schelling, against becoming entangled in the web of Hegel's Dialectic.

It may be fairly asked whether both of these positions are not dangerous. Both err in not betraying a more critical spirit. That the system of Hegel is logically symmetrical, is no good reason why it should be embraced as true. That the system of Hegel is rapidly falling into contempt in Germany, and is impractical and false, is no good reason why it should not be studied, and thoroughly studied. Without entering into the question how far are the post-Kantian theories true and useful, it seems to me that the study of these theories should command more attention. It is not necessary that the mastery of a phase of philosophic thought should bring with it a conviction that this thought is true or useful. The teaching of a certain philosophy is different from the teaching of the history of philosophy. There are few who would uphold to-day the doctrines of the Pythagoreans, and yet every conscientious teacher of the history of philosophy takes pains to instruct very fully those under him in the Pythagorean doctrines. When, on the other hand, one of the later German theories is to be expounded, we find it often contemptuously treated, criticised without being fully explained. The same defect was noticeable until very lately in the German universities. When a professor had occasion to speak of English or Scottish philosophy, he set aside the discussion of almost all these "insular" philosophies, except the doctrines of Berkeley and Hume, with perhaps a few remarks on the "Empiricism" of Locke. This is no longer the case. The best exposition of Bacon in any language we owe to Kuno Fischer, of Heidelberg; and the effect of Positivism in Germany was to turn attention very particularly to the Sensationalism of England. I would not advocate the study of German philosophy as a mental gymnastic. Such is not a proper spirit in either historical or scientific inquiry. The question is simply this: Are we to ignore the thorough mastery of systems that have swayed Germany during the last century as no philosophy has ever swayed a country, simply because these systems are "cloud-born" or "fanciful," or even wholly false? The same cause that urges us to understand the doctrines of Plato or the

Old Academy, should urge us to pay careful attention to systems of thought at the present time, whether these systems be fanciful, false, or dangerous. The more influential they have been, the greater the reason why we should investigate them. The greater the destruction, the more considerable the importance of understanding the machinery of the destructive engine. The system of Hegel is dying, but are its effects obliterated? Materialism is no longer taught in the philosophical chairs of German universities, but are there no German materialists? So far, then, from ignoring German philosophy, it should be made an object of study, of academic study. However fanciful it may seem to our Anglo-Saxon minds, it is powerful in the Fatherland. The danger and the uselessness of warning young men against systems, without explaining what has made these systems powerful, is grounded on a serious fallacy. The chances are, that if they are cautioned against the "dreamy idealism" of Fichte, they will be apt to fall into that idealism when they discover that it is not at all dreamy, but a logical deduction, which cannot be blown away by a mere breath of contemptuous language. It is not so much for the discovery of the True, the Beautiful, and the Good that we should study the systems of modern Germany, as for the sake of understanding the cause of the powerful effects produced by these systems. In the January number of this Review, Dr. McCosh says, "Of late years, German students have been wandering after Schopenhauer and Hartmann; and American and British youths, seeing the crowd, have joined them and been gazing with them." It is to be hoped that this gaze is intelligent and critical, and not altogether sympathetic. We are indebted to men like Professor Bowen, of Harvard, who has taken pains to explain the systems of post-Kantian philosophy to the American public, and the remarks just made as to the importance of a familiarity with German philosophy apply especially to the systems of Schopenhauer and Von Hartmann. They are worthy of study, not because their metaphysics are sound, nor their ethics pure. It is because the "Pessimism" that these men represent is beginning to move like a dark cloud across the firmament of German thought. At first it was but a speck in the far-off horizon, scarcely visible in the brilliant day of the Absolute

Philosophy. It has been gradually rising and increasing. It is overshadowing the popular mind. It threatens to descend, and envelop a part of the national thought in its dark embrace. The warfare that Schopenhauer waged against the university chairs when Hegel ruled supreme, has excluded his followers from the German lecture-room; but he has of late years been largely read by the people as well as by the professors, and his strange doctrines seem to take a powerful hold, if not upon the thought, at least upon the feeling of the land. Pessimism is taught but by one man in the whole of Germany, and he is a *privat-docent* at Heidelberg. Dr. Dühring, who has been lately expelled from the University of Berlin, sympathized with this doctrine, lectured on Pessimism, and declared the theory of Schopenhauer to be "the most sober philosophy of the century." Von Hartmann, from his seclusion in Berlin, produced the "Philosophy of the Unconscious," in which he adheres to the main points of Schopenhauer's doctrine, modified in some respects, but essentially the same. The publication of that work was the signal for a philosophic controversy of remarkable brilliancy. But wherever in Germany philosophy is the theme of discussion or conversation, the question put invariably is this: "Have you read Schopenhauer?" If the inquiry be, Has all this a significance for us Americans? the answer seems to me clear. It has for us a profound significance. There is not only an emigration of people from Europe to America. There is a deep invisible emigration of thought. Materialism, which was once the rising doctrine in Germany, is now growing around us here. The Positivism of France came westward, and the Sensationalism of England. Transcendentalism, too, has drifted westward. To quote once more from Dr. McCosh: "Not sustained in its native land, Hegelianism has emigrated to the country of Hutcheson, Reid, Stewart, and Hamilton, and has there found a settlement for a little while. The ablest expounders of the Hegelian philosophy are to be found, not in Germany, nor even in Glasgow, but on the banks of the Mississippi." It seems to me not unlikely that the Pessimism that is pervading Germany and invading France may reach us here. When it comes, it should meet us, not as a new and terrible foe, but as a well-known form that we shall

recognize, with which we shall, if necessary, be prepared to fight.

Pessimism, sad and unpalatable as its doctrines may seem, is singularly attractive to men in certain states of thought and feeling. Never has it been so well presented as in the peculiar rhetoric of Arthur Schopenhauer. As a system, Pessimism is almost as old as philosophy, but as a system it is new to the thought of Europe. In German Pessimism we find something more than the bitter misanthropy of a Byron, the scornful attitude of Voltaire toward humanity, and the gloomy view of the world that appears darkly in Greek thought. From Schopenhauer we have a system of Pessimism founded on a metaphysical theory, deduced from certain principles, and elaborated in its most extreme form.

Schopenhauer belongs to a series of philosophers who represent a reaction opposed to the Absolute systems of Fichte, Schelling, and Hegel. Each of these reactionists is entirely independent of the others, but they are united at one common point—antagonism to the "Absolute Philosophy." This series is represented by Schleiermacher, Herbart, and Schopenhauer. It is, however, worthy of remark, that while the opposition of all three to the Absolute philosophy is at the outset plainly marked, there is a tendency in all three to revert to the principles of the school which they profess to discard. This is especially the case with Schopenhauer.

The problem of all post-Kantian metaphysics is the problem of the system of Schopenhauer. In his *critique* of the Kantian philosophy, he declares that the greatest service of Immanuel Kant was the distinction of things as they appear, from things as they are, of the phenomenon from the noumenon, of the *Erscheinung* from the *Ding an sich*. To answer the question, "What is the thing in itself?" (*das Ding an sich*), is what Kant failed to do. This is what all German metaphysics since Kant has had as its problem. This weakness in Kant's position was exposed by Schultze, by Maimon, and the Critical Skeptics. Fichte solved the problem in one way. The ground of the phenomenon, the *Ding an sich*, said he, is the Ego itself. Whatever appears is an appearance of the Ego. Schelling found the *Ding an sich* in Absolute Nature; Hegel in the Absolute Idea. The

difficulty appears in the first proposition of Schopenhauer's philosophy.

The world is my presentation (*Der Wille ist meine Vorstellung*¹).—But a presentation involves two things. It involves a something that is presented; it involves that to which the presentation is made. That to which the presentation is made is the Ego. The world is *my* presentation. But a presentation of what? What is presented? What is the noumenon of which the presentation is the phenomenon? What is the *Ding an sich*? This inquiry is answered in the second main proposition of Schopenhauer.

The world is my will.—The will is the *Ding an sich*, the thing in itself, the appearance of which is presented to the Ego. Although Schopenhauer says, "The world is *my* presentation," yet he denies the existence of subject separate from object, and of object separate from subject; both subject and object are thus parts of the presentation. The extremes of realism and idealism are confounded in this remarkable inconsistency.

The will objectifies itself. It makes an object of itself. This object is the world. *Will* implies the willing of something. The something that is willed is the world. The will to live and the world are identical.

Schopenhauer's ethics, if so they may be called, are contained in the fourth book of his "Die Welt als Wille und Vorstellung."

"The world is my presentation." The presentation is the expression of the will to live. The will, as we have seen, is "thing in itself." It is the unchanging and the constant, underlying the phenomenal and the fleeting. The birth and death of the individual are simply phenomenal changes of this will. The individual is born; the individual dies. The will, of which both birth and death are the expression, remains. Although the world is will, although we are a part of the world, although our birth and death do not affect the will in itself, still we are

¹ This word *Vorstellung* has no equivalent in our philosophical English. It means whatever is present to the mind. The word "idea" is too vague. *Vorstellung* is not simply "intuition." The "intuition" is a species of *Vorstellung*. "Notion" is another species. The *Vorstellung* need not have been previously before the mind, so that it is not simply representation. It is a presentation.

ever in fear of death; not merely in fear of the pain of death, but of death itself. This is because the will to live finds expression in us. The present alone is really ours; but we are always looking back into the past, which is a dreamy nothing, and forward into the future, where we discern only the dim outlines of the form of death. Before considering this view of the world, we must fix our attention on Schopenhauer's view of man as a moral being. The fundamental idea of his ethics may be discovered in the Third Antinomy of Kant's Transcendental Dialectic. The thesis of this Antinomy states that in the world there is freedom, apart from the fact that every thing happens according to causation. The antithesis shows that there is no freedom, and we are brought in the face of two separate and opposite conclusions. So we find in Schopenhauer's philosophy that absolute necessity results from the fact that the world is will. The universe in all its variety is an expression of the one will. That is the antithesis of the Kantian Antinomy brought out in another form. The phenomena of the will, then, are under the law of necessity. The will as thing in itself is free. Kant solves the problem of the Third Antinomy by showing that the phenomena are under a law of necessity, that the thing in itself is free. The solution of Schopenhauer is therefore the same. This necessity excludes the idea of obligation. "No one," says Schopenhauer, "need expect 'commandments' from me, nor a law of duty, still less a general moral principle equivalent to a universal *recipe* for producing every virtue. Nor shall we speak of any 'absolute must,' . . . nor of a law of freedom, for it is a contradiction to speak of a free will and yet prescribe laws to it." "Must will! wooden iron!" he exclaims.

Schopenhauer's view of the world shows us where to look for his principles of action. We must revert once more to the second proposition of his system, "The world is my will." But that which is willed is never obtained. The will has no goal. As in the great ethical doctrine of Fichte, we have an eternal evolution, an eternal progression toward a goal that is never reached. This *willing* is expressed in all nature. It begins to be prominent in sensible nature. It finds its highest expression in humanity. Humanity is an individualization of

this will. It is essential to man to will. A will for something implies the lack of something. This lack of something is the cause of pain. The will to live is a cause of pain. According to Schopenhauer, we are to picture the whole world as in want, as willing to have something. *Is this want supplied?* Here is the fundamental doctrine of Pessimism. This want is never supplied. So soon as the will for any thing is supplied, the longing begins once more. To satisfy a want is to create a new one. Perfect satisfaction is *ennui* and weariness. "Life," says Schopenhauer in a celebrated passage, "is like a pendulum swinging to and fro between want and *ennui*." In one of his bitter paragraphs he exclaims: "If all our pains and wants were banished to hell, we should have nothing left for heaven but eternal weariness!" Man is the centre of a thousand needs. He is the highest expression of the will; he is the most needy of all creatures. The will to live is not satisfied, for it ends in death. "The life of most men is a struggle for existence, with a certainty of eventually losing it." The motive of this struggle is the fear of death. The desire is pain. The satisfaction of the desire is weariness. So when we attempt to banish evil, we only change its form. "If this want be satisfied, it arises in other forms, according to age and circumstances—sexual desire, passionate love, jealousy, hatred, envy, anxiety, ambition, avarice, disease." When these are allayed, comes once more the weariness; and if we endeavor to remove the weariness, the ghosts of the former evils return to torment us. "We begin the dance once more." Human life is but the alternation of pain and weariness.

What is true of man as an individual is true of men collectively, and the doctrine as above stated finds its logical application in history. The whole panorama of the past loses its changing color, and becomes a picture of gloom. The splendors of national growth, the glories of scientific progress, fade away, and before the sight arises only the troubled dream of humanity—of humanity ever changing, the form of the evil never attaining to the good. Humanity is bad, totally bad. Humanity is totally impotent. And so we hear only the monotony of a dreary poetry, we see only the unmeaning array of a helpless creative art. Our ears are filled with the harmonies of a music

that tells only of the ceaseless woes of man. The inexorable *must* of the blind will decrees the life of man, and man in agreement with that *must* cries, "I will live." The same inexorable decree hastens his death. He passes out of sight, and the will begins its work anew. The whole stream of the race flows on in the channels marked out by this will.

The individual not rising to the view of the world as will, appreciates only the fact, "the world is my presentation." The result of this is an egoism. This is a great source of the evil in man. He lives in a state of egoism. He injures others. He attempts to satisfy himself, and fails. This, Schopenhauer condemns. Although he denies the law of obligation, he maintains that the gratification of self is not the true motive of action. His moral maxims are not formulated, yet he is willing to suggest a "quietive" for unsatisfied man. The result of this "quietive" is virtue. It is not the "affirmation," but the "denial" of the will. We must rise from the consideration of the world as presentation to the conception of will as the *causa essendi* and *causa fiendi* of the world. This gives us a kind of freedom. The fundamental motive that sways us is sympathy. I see men in misery, harassed by volitions, by desires, that go out into a chaos of disappointments. I see in myself, as in others, only an expression of the ever-acting will. The result is sympathy. When one reaches this state of sympathy, this appreciation of one's own sorrow as a sorrow common to the whole race, he is under the influence of a "quietive." He resigns himself to the action of the will. He gives himself up to the fate which is his in common with humanity. This is, according to Schopenhauer, the ideal end of all moral, religious, philosophic endeavor. This is the dissipation of all the woes of finite being. It will be seen that the doctrine of Schopenhauer is at this point taken from the Vedas, and from the theory of the Buddhists—the resignation to the will of Brahma, the resorption in the *Nirvana*. This is the Pessimism of Schopenhauer.

The history of philosophy shows us many optimists but few pessimists. "Optimism," according to the author of *Die Welt als Wille und Vorstellung*, "is not only an absurd but a truly wicked way of thinking—a bitter mockery of the nameless

woes of humanity." Strange as the doctrine is as a whole, its sources are to be found in past systems; first in the philosophy of the Vedas, in a purer form in ancient Stoicism. A striking comparison may be drawn between the *ἀπάθεια* of the Stoics and the *Verneinung des Willens*. If we would see some of the metaphysical antecedents of the doctrine, we have only to look back at the Pantheism of Spinoza, at the Idealism of Fichte and of Schelling. If we would examine some of its ethical antecedents, we have but to glance through French literature in the time of Voltaire.

My design has been rather to state than to criticise the Pessimism of Schopenhauer. But the question arises, "How is this doctrine to be met?" I may briefly indicate certain weaknesses, and inconsistencies that lie within the system considered by itself. The exposure of such weaknesses and inconsistencies opens the way for an attack upon the philosophy upon its own ground.

Schopenhauer's metaphysics embody an absurd and fatal paradox. "The world is my presentation." Presentation of what? "The world is my will." The will is the thing in itself—the *Ding an sich*. Yet the thing itself is also phenomenon. It is presented (*vorge stellt*). Its expression is the universe. If it be asserted that the will to live is "thing in itself," and yet that it is presented, that it appears in the presentation, it becomes impossible to regard it any longer as "thing in itself." It is phenomenon as well. Either the "thing in itself" is presented, or it is not presented. If the former, it appears and ceases to be "thing in itself." If the latter, it cannot be known. The difficulty remains. German philosophy has not yet solved the problem left open by Kant.

Another point may be briefly noticed where Schopenhauer errs. To deny the claims of duty because "must will" is paradoxical, is not warranted. The conscious freedom of the will is the ground for the obligation. The more emphatic the will, the greater the emphasis of the must. The categorical imperative of Kant contains no paradox. "Thou canst, *therefore* thou must."

We find the distinction badly drawn between will and desire. Will and desire are radically different. Into will there enters the

element of choice. I may desire to do many things where my will is not called into action. Desiring and willing are confused in our everyday language. Psychologically they must be carefully distinguished. In fact, desire and will are often directly opposed. In order to satisfy a desire I must often perform an act of volition, but I may will not to do what is in the highest degree my desire to do. The will is the executive power of the mind. It may in some cases control or excite the desires.

The metaphysical and ethical inconsistencies of the theory of Schopenhauer, to some of which I have just alluded, may not prove effective to many who may be misled by the plausibility of Pessimism, to many whose minds are not turned to the metaphysical and ethical discussions of current philosophy. A simple question must be asked regarding all moral theories, and must be asked here, with unusual significance: "Is this theory in agreement with the *facts* of human life?" To this question the experience of a great body of mankind will return an emphatic negative. Pleasure may end in delusion, but is there therefore nothing pleasant? The efforts to bring about good in the world may be futile, but is there no good? There must, even admitting Schopenhauer's premises, be a relative good, for are not some things better than others? Are all evils equal? The "quietive" suggested by Schopenhauer is by no means adequate to atone for the evil that he claims to have discovered in the world. The practical man who accepts the pessimistic view of the world will be apt to look around him for some other "quietive," and it is to be feared that the quietive will often be sought in sensual indulgence, where no high hope of amelioration is set up.

However hideous the doctrine of Pessimism may be, there are strong reasons why it should be influential. The literary talent of Schopenhauer is sufficient to make it attractive, his vast learning and suggestive thoughts on almost every subject. But there are other reasons lying still deeper than these. Pessimism is only an exaggeration of the great fact that there is evil in the world. What the morals of Sensualism are to the man of pleasure, the morals of Pessimism are to the man in distress. The ethics of the period before the French Revolution

are not the expression of Voltaire, of Helvetius, or of d'Holbach. They are the expression of the age. The ethics of Schopenhauer are not the expression of the ascetic who wrote thirty years ago in his garret at Frankfort. They are the expression of a tendency in the social development of Europe. The aspect of modern Germany indicates that a pessimistic germ may have there, at least, a favorable growth. The whole state of the empire, particularly of Prussia, is one of uneasiness. The roll of Austrian, French, and Russian drums may be heard on almost every frontier. The great standing army is preying upon the industry as well as upon the capital of the nation. Financial and political distrust is expressed in many quarters. The broad plains of Prussia are badly cultivated. The few material resources seem to lie almost untouched. The Germans of that region are cynical in their nature. The weather in the long winters is gloomy. The whole effect on the mind is cheerless. As a matter of fact, we find distress in many parts of the empire. We hear it in occasional murmurs of discontent from the south ; we saw it exemplified last summer in the bread riots at Berlin. There is but a step from the despondency of the nation to that of the individual.

Men in trouble sometimes go to religion for consolation. This is what Germany has not done. Statistics show, for example, that the attendance on the churches at Berlin is far less than when the town was one half its present size. Attempts have been lately made to banish the Apostles' Creed from the Evangelical Church. To such a people the theory of Schopenhauer is coming to mock at their ills, but at the same time to attempt an explanation. There is something in the German mind that makes all impressions of thought deep and lasting in their effects. The traces of Materialism are still apparent among the people.

But all prophecy as to the advance of Pessimism is to a large extent uncertain. No one can tell whether it will sweep across society as Materialism has done, or whether some illumination may not arise to turn so many weary eyes from the false lights that throw their glare upon the dark, unfathomed sea of sorrow.

But the evil in the world is not to be remedied by a resigned stupor, like the denial of the will to live. An inductive investigation of the facts of human life, a laying aside of the "idols of the den" which arise from special affliction or from the fancies of a morbid life, a look backward at the advance of the race in the face of many difficulties, a look forward at the dawn of a not far distant future, may turn men from Pessimism, if it does not lead them to Optimism.

ARCHIBALD ALEXANDER.

THE PONTIFICATE OF PIUS THE NINTH.

THE long pontificate which is now closed has come to a marked and striking end. Events are so clustered about it as to betoken, in an unusual manner, the hand of Providence. In a sense which is more real than apparent, we have seen the last of the pontiffs. That title, borrowed from the Cæsars, belongs not fitly to a barrèn sceptre and a phantom throne. It meant a pope-king, and the cardinals now hurrying to the conclave will vote for no such personage. As if to indicate this, Victor Emmanuel was called away, and peacefully bequeathed to his son the crown of united Italy, which all the crowned heads of Europe have recognized as his hereditary and legitimate possession. At the same moment, all thrones are shaken, and a trembling sense of insecurity agitates the councils of Europe. The virtual occupation of Constantinople by a Christian power was announced on the same day that told us of the death of Pio Nono. The East is the theatre of startling movements, and the "Old Rome" and the "New Rome" of the first Christian councils are again at the same time the twin centres of hopes and anxieties which are of universal concern.

What a dramatic conclusion of the great scenes in which the passing generation has been so profoundly interested ! The great actors have had almost simultaneous exits ; and while we write, one lies like a Cæsar, under the open dome of the Pantheon ; while the other, stretched on his scarlet couch, is exposed to the grim ceremonial of public exposition, beneath the swelling vaults of that sublime basilica where he so lately pronounced himself Infallible, like God. It is no common privilege to be living at an epoch when the curtain falls upon a solemn act in the drama of ages, to be succeeded by an im-

mediate uplifting upon a change of scene; and—what next? So far, so good; and we may say, reverently and with profoundest gratitude, that our eyes already see what prophets and kings have desired, what the ages have waited for so long.

The prophecies of Daniel and the Apocalypse cannot be gainsaid in their application to the Papacy. Even the poet Rogers, a mere sentimentalist, without any faith, grows devout in view of the correspondences of Scripture and history, and says concerning the popes and the seers who foretold them:

“ And two, that looked beyond this visible sphere,
Gave notice of their coming; he who saw
Th’ Apocalypse, and he, of elder time,
Who, in an awful vision of the night,
Saw the four kingdoms. Distant as they were,
Well might those holy men be filled with fear.”

There is something too, if Bacon will pardon us, in vaticinations merely human—that is to say, when they can be traced, like the Pollio, to God’s oracles, of which they are but the echoes in the conscience of man. Of this truth the Sibyl is the impersonation in mythology. Even the heathen were visited by awful warnings of the Spirit, as when one exclaimed at the terrible moment of the Passion, “The great Pan is dead.” Dante, with his great mind surcharged with Scripture, became on this wise the Mediæval voice of God against the Papacy, foretelling retributions and lending a finger to Daniel and St. John, which said to the Antichrist on the Seven Hills: “Thou art the Man.” He was one of those poets in whom the *vates* and the rhapsodist coexist, and transfusing himself into the heart of Italy, from which the Bible was shut out, he has been the leaven which has leavened the whole lump, and created the united Italy of our day. In his “Monarchy” he pleads, indeed, for a utopian empire; but he does so under the idea that by shutting off the clashing interests of petty kingdoms, and gathering all nations under a single imperial sceptre, the rise and peril of wars may be overcome. It is to be an embodiment of the reign of the Prince of Peace. Coexisting with this monarchy, he would see a universal church, united indeed under one chief; but he must be unworldly, and confine himself to things spiritual, working in harmony with the human govern-

ment, and never overstepping that limitation of Christ, "Render unto Cæsar the things that are Cæsar's." From Dante, then, came Gioberti's visionary scheme of an Italy governed by her own federate powers, under the benign patronage of a spiritual pontiff; from the same source came Cavour's more practical scheme for "a free church in a free state." Against both, against all reforms, the late pontiff's life has been one growling *non possumus*.

We live in a day which, holding nothing in faith or morals very dear, adopts the easy temper satirized by the French in their pithy phrase, "Good Lord, good devil." White is not so very white; black is not black, after all. We confess that our views of duty and of truth are serious, and do not permit us to adopt too literally the maxim, *De mortuis nil nisi bonum*. Without doing injustice to the personal character of the late pope, we must speak truthfully, and therefore sternly, of the evil policy of his public life. His heart and his motives God will judge. We have the most tender feelings towards the individual and the venerable figure, as a man, which he has impressed upon the popular mind. It is our duty to speak of his career as a pope.

Recurring to Dante, we find in his great principle of discrimination, under the law of Christ, between the things of Cæsar and the things of God, the essence of all that Pio Nono has lived to execrate; and just so of all that Cavour was able at last to reduce to protocols, and which Providence has counter-signed in giving to Victor Emmanuel the sceptre of Rome and of a united Italy. Deep in the midnight of the papal despotism, and long before the cock-crowing was heard from the little hamlet of Lutterworth, in England, Dante could strike the key-note of his immortal song in the following words:

"The Church of Rome,
Mixing two governments that ill assort,
Hath missed her footing, fallen into the mire,
And there herself and burden much defiled."

And long ago these words would have borne their fruit, even in the days of Olympia Morata, but for the repressive tyrannies of Europe. In vain did Filicaja sigh over the "unhappy gift of beauty" which made his Italy always a prey; in vain did he sing "Would thou wert less lovely, or at least more strong." The

world agreed to crush her. Then all she could do was to read Dante and repeat his verse.

When first the writer sailed upon the Tyrrhene Seas, in 1851, he found himself on board the little steamer *Dante*. Commerce had economized its opportunity, and sent that name of their prophet along the Tuscan shores, into the Bay of Naples, and even to Palermo, as a flambeau of revolution, a call to Italian unity. Just so they sent a market-woman through the streets of Milan to cry radishes and hold up a bunch, not to sell it, but to display the colors of Italy—green, white, and red. And just so, again, after Novara, they made the rafters of La Scala ring with shouts of “Verdi, Verdi, Verdi;” not so much to applaud their favorite composer, but because they had discovered in his name the initials of *Vittorio Emmanuele, Re d’Italia*. They began to feel that the time was near, just as when Virgil anticipated the Incarnation with his Cumæan song. Dante had given them a riddle, “dark as Themis or as Sphinx,” by his own confession, which they often repeated, as if it were an oracle of God:

“Plainly I view and therefore speak, the stars
Ev’n now approaching, whose conjunction, free
From all impediment and bar, brings on
A season, in the which *One sent from God,*
Five hundred five and ten do mark him out,
The f[oul] one and th’ accomplice of her guilt,
The giant, both, shall slay.”

Five-hundred-five-and-ten might be written D.V.X., and for centuries Dante’s critics had tried it on innumerable dukes and generals of patriotic hopes or Italian sympathies. Now, they said, “Why not the Duke of Savoy?” The “foul one” they understood of the Papacy, of course; “the accomplice of her guilt” was Austria, just as plainly. Strange that nobody added, what occurs to us as we write, that if we credit Dante with the composition of his “*Purgatorio*” in A.D. 1305, which is most probable, then the addition of 515, “according to the number of a man,” brings us to A.D. 1820, when was born a duke of Savoy, who was christened *Victor Emmanuel*, as if “Sent of God” indeed, and designated by his very name to assure the world of his mission and of his victory. So God said of Cyrus, “He is my shepherd.”

Pius the Ninth was one of those respectable men who generally fill such places as God means to reform. When one represents a bad system, it is a blessed thing not to succeed in perpetuating it. Better a thousand times to be a Louis XVI. than the *Grand Monarque*; to die dignified by misfortunes, like Pio Nono, than like his shameful predecessor, festering at once with vice and ignominy, and nicknamed "the Tippler" by the kindly Italians, to save his memory from association with vices yet more disgraceful. The late pope must be ranked with those passive men of destiny, in whom its active agents find their opportunities. When somebody called Louis XVI. "the tyrant," Napoleon rebuked him with a smile: "If he had been a tyrant, I should never have been First Consul." If Pio Nono had been a worse character and a clever manager, things might not have come to their head in his time. It was clearly ordained that this Roman candle should burn to the socket and become extinct with as little of the odor of gunpowder as of sanctity. The tenacious vitality of the man was a sort of parable; a symbol of the Papacy itself—always dying, and dying not; a series of menaced dissolutions and unlooked-for revivals; a durable decay; interminable quiverings and quickenings; dragging on and outlasting all, but suddenly going out. What a habit of not dying Pio Nono had! Men of middle life recollect no other contemporary pope. To talk of the "years of Peter" is nonsense; but who shall see again, under the Roman tiara, the years of Pius IX.?

His predecessor often predicted that he should be the last pope. This saying we remember very well was current in his time; and it is more noteworthy than men perceive, how it has come to pass. Pio Nono has not died in the purple of royalty, a priest upon his throne, a king with two swords, "the triple tyrant" of Milton's objurgation. A wonderful consummation has been reached in him, and it is noticeable how little it is remarked upon. So Carlyle says, the greatest events come "without observation." The Romans themselves, say the journalists, have been very little excited by the decease of the pope; it was widely different from their outburst of feeling at the death of the king.

How different the accession! Pio Nono came to the tiara in

1846, amid the acclamations of the world; another Titus, in the hopes of his people; *deliciæ generis humanæ*, the darling of mankind. He had seen something of human nature. His early libertinism, they say, was cured by a vision of the "Madonna," when his excesses had stretched him on a bed of sickness. It is doubtful whether even that fabulous lady would have thought it respectable to visit him, in the circumstances; but the story seems to account for his devotion to this goddess of modern Romanism, whom he rewarded by an extreme idolatry, the bare imagination of which St. Bernard rebuked with terrible invective. His subsequent record is very creditable. He is the only pope that ever saw America. After his mission to Chili, he came to Philadelphia, and there, the freemasons say, he was seen in one of their lodges. A very liberal ecclesiastic, certainly! One would willingly linger on his services to the Neapolitans, when the cholera raged in their city in 1836. At Imola he gained a reputation for fidelity to his duties. The less friendly critics say he had an eye to the papal throne even then, and prudently forebore to identify himself with the court of Gregory. On the contrary, he gave himself out for an Italian, as against Austria. He was in favor of improvement, possibly even of progress. Suddenly the critical moment came. The young cardinal, only fifty-four, drove to Rome, a candidate for the vacant throne. As he drew near the Flaminian gate, Livy's prodigy repeated itself: a dove of snowy whiteness hovered over his carriage, like the eagle that foretold the crown to Tarquinius Priscus. The Romans dearly love a miracle to this day, and this was a very useful one at the time. But if the people regarded him as the coming man, the Jesuits had decided otherwise. They had fixed upon the tool of Austria, Gregory's old secretary, the asthmatical and moribund Lambruschini. With one foot in the grave, why should any body oppose him? Another conclave soon, and another chance for aspirants. The advantage to his friends would be a little respite from doomsday. In two years the world's chess-board might be changed, and they might play a bolder game. For the moment they offered a dying old man as a compromise, and they felt strong enough to carry their point. So they assured their candidate, and he felt that he saw the coming pontiff, as in the glass of

destiny, when his valet, after shaving him, held the mirror before his emaciated features.

There were better men than the Jesuits in the purple college who felt that this would not answer. There must be some concessions; they were not of the progress party, but they felt sure the whistles of a railway to Civita Vecchia might be so controlled as not to spoil the soprano of the *Castrati* in the Sistine Chapel; and gaslight in the Corso might be tolerated even by the friends of filth and fleas. These were no friends of "young Italy:" they were accustomed to cross themselves at the very mention of such a party; but, on the other hand, they were disposed to compromise on a moderate man. Not Mastai, of course; the Austrian veto would dispose of him. Not even Gizzi. Others were named, but why not the virtuous Bianchi?

A small but enthusiastic faction outside of the conclave were resolved to have Ferretti. The difficulties were immense, but the *vox populi* might possibly be turned into the *vox Dei*. Why should Mazzini's men be more scrupulous than Loyola's? Had they not taught the virtues of the *stiletto* in dire emergencies? Who mixed the sacred chalice with the *acquetta*, to revenge the Society upon the good Ganganelli? Such was the talk of conspirators, whose orgies every night resembled Cataline's. One morning the mutilated Pasquin gave forth an oracle:

"If God elects, we shall have Bianchi;
If the people elect, we shall have Ferretti,
If the devil elects, we shall have Lambruschini."

But if the Romans were tickled with this presage, Lambruschini was not. They say he sent for the young Mastai—young for a candidate—and thus he expostulated: "There's little chance for you, my dear Mastai; but, between you and Bianchi, there may be bad work for me, yes, and for you too. They'll elect somebody as unwelcome to you as to myself. Now, turn your friends over to me; you shall be my secretary, and manage everything; tell them that. I shall not last two years, and then—*after me the deluge*—next comes your turn." Mastai promised to consider, and so he did; but he said nothing as to his conclusions. The lot was cast into the lap, and after a few ballotings Ferretti was chosen. The Italians account for it thus:

On the day before they went into conclave, an old cardinal was sipping his chocolate, when Antonio, his faithful valet, was heard to sigh. Inquiries and explanations of course. It appeared that Antonio was really anxious about his Eminence's valuable life. After the preliminary pooh-pooling, the cardinal condescended a little, and listened to his affectionate servant. "Bad times, *Eminenza!* Rome full of bad men; Mazzini, daggers, and death. Have a care of your Eminence's precious life; what would become of the world should your Eminence not live to be pope?" Answer: "Pooh-pooh! Antonio." Reply: "If I must tell it, here it is: A fellow collared me in the *Via Babuino* only last night, and said, 'Tell your master, if *Lambruschini* is elected, he and his fellow Austrians shall not live a week; if he wants to live, tell him to vote for *Mastai*.'" His Eminence pooh-poohed again, but inwardly resolved to preserve his health. Now, what happened that morning to Antonio's cardinal happened also to at least a dozen others. Cardinal de Retz tells us how he contrived to elect Fabio Chigi, Alexander VII., and the intrigues at Venice which made Pius VII. have been lately disclosed. While the pomps of the conclave make the crowd gaze, it is so that popes are manufactured behind the scenes. The Mazzinian intrigue conquered the Jesuit machinations in a short conclave of forty-eight hours; and Ferretti, as Pius the Ninth, was just giving his benediction, *Urbi et Orbi*, from the balcony of St. Peter's, when a foreign cardinal drove into the Piazza, with smoking post-horses and the Austrian veto. Too late! Loss for the Jesuits—gain for mankind. For once there was something in a papal benediction to the city and to the world.

A few years later, the writer had a view of the three competitors in the Sistine Chapel. It was the anniversary of the opening of that chapel after Michael Angelo's marvellous decorations, the Feast of All Saints. Pio Nono sat in his pontifical chair, a hale, hearty man, and rose at the *Gloria* with a military precision and erect bearing of his whole person. His voice rung through the chapel clear and sonorous. When he sat down, it was with no elderly, cautious, or dignified circumspection; down he plumped. His expression was benignant, occasionally a little drowsy. Some said he had narrowly escaped a Jesuit

dose which he swallowed in his best days, and was always subject to such drowsiness afterwards. I observed then, and at another time, just a little of that smiling self-consciousness which a schoolboy betrays when he knows he is observed—just a little trifling play of Santorini's muscle. It was pleasant to see Bianchi glide into the chapel, saluting his compeers right and left, and wearing, not their tawdry purple, but his own Dominican raiment, creamy white, with the black mantle depending from his shoulders. His admirers said he affected this dove-like attire as coincident with his name and character; it was, at least, the mark of a perpetual candidate. His was a fine head, like St. Philip Neri's; quite too good for a pope, and worthy of a saint. Him followed next Lambruschini. What a contrast! Like old Montalto, before the miracle of healing worked by his election, he seemed in a consumption, coughed phthisically, and plied his kerchief. He looked "the Man of Sin," though he was not elected to that awful responsibility.

It is pleasant to recall those "first days" of Pio Nono, when every body believed in his new broom, and doubted not it would sweep the Austrians out of Italy. Romish lecturers in America often tell the story of his reforms, forgetting what they imply of the blessedness of Rome under his infallible predecessors. For a time he scoured the city by night, like Haroun al Raschid, scenting out villainies. He found them everywhere. He went into schools by day, and blessed the little boys and girls. He tossed *baiocchi* to every beggar, and did more for poor widows and sufferers, in secret: he banished spies and informers; he broke up an old rotten tribunal, as deadly as any that adjoined the Bridge of Sighs; he banished spies and informers. At first his councillors would not let him proclaim the amnesty, but one day he covered their black balls with his *berretta*, and protested he saw nothing but white. The amnesty was proclaimed, and Rome went wild with joy, to welcome back fifteen hundred exiles, and to toss up caps for their deliverer. On the night of fireworks and universal illumination, the people marked two palaces that were as dark as their tenants; of course, Lambruschini and the Austrian ambassador.

Yet more astonishing, the Romans saw the pope ascend a pulpit and heard him preach. When was it ever known before,

that the fisherman's ring shone on a hand outstretched to entreat men to be saved? In one of the churches of Rome you may read, on a marble tablet, an inscription, very nearly as follows: "On such a day and in such a year, the holy father Pius the Ninth ascended this pulpit, and with extraordinary eloquence, *like a true pastor*, preached to his flock. To commemorate so remarkable an event," etc. Is it conceivable that the intense satire of such a memorial failed to strike those who set it up? If it be like a true pastor to preach the Gospel, what mean the thirty-two years of Pio Nono, in which he so rarely performed a pastor's duty? What does this marble signify as to the wolves in sheep's clothing, who for ages before had called themselves chief pastors of the universe, but who never once obeyed St. Peter's inspired charge to pastors? We consider that tablet one of the richest pasquinades on record.

In 1847, Pius sent packing over the Alps most of the mercenary papal Switzers, and formed a national guard. Next he yields to the growing clamor, and gives the people a sort of parliament, somewhat grudgingly and poor at best, but with due warning that he means in no respect to impair the authority "received from his predecessors." Poor Canute cannot bid the waters retire, and the tide swells up very near the pontifical chair already. Metternich, playing his last cards, was resolved to bring on a crisis, and to drive him into abdication. The Jesuits were working for greater dispatch, and a friar, on whom the lot had fallen, attempted to assassinate him. Soon there was an attempted insurrection, but that failed; the conspirators were the Jesuits, but they took care that their friends should be mistaken for Mazzinians. The Austrians invaded the Papal States that very day and occupied Ferrara, to the amazement and indignation of the world. Had the plot succeeded, they would have marched on Rome "to restore order."

How rapidly the world moved just then! The French Republic, the uprising in Lombardy, Charles Albert pushed by Cavour into the breach; the short, sharp conflict; the fatal field of Novara, and Victor Emmanuel succeeds a broken-hearted sire upon a tottering throne. In Rome, fresh clamors, and changes of ministry. A constitution, and Count Rossi, who soon disappears on the steps of the Cancelleria, as he ascends

to open the Chamber of Deputies, stabbed by a fellow disguised as a sailor. Carlo Gazola tells us that all this was in the reactionary programme; he was forewarned of it, amid the first delirious days of the patriot pontiff—the days when even Protestants had sung this chorus:

“ A health to Pope Pius, the Ninth of the name,
A health to fair Italy’s hope;
Ev’n though we set Exeter Hall in a flame,
By proposing the health of the pope.”

Alas! *habemus papam*. When that is proclaimed in the balcony of the Vatican, you have a pope indeed, but the man is gone. He comes with an official name—Pio Nono, but no more Mastai-Ferretti. Henceforth, he can have no will of his own; the Society of Loyola, “the black pope,” speaks through the mouth of the white manikin. He is a slave forever, under the mockery of three crowns and of the throne to which one hundred and thirty millions of men pay servile tribute, as to that of a god upon earth.

The rest is soon told. Cannon pointed at his palace, bullets whistling through his windows, the Mazzinians in possession of the city and demanding a republican ministry; short obstinacy, abject submission, Louis XVI. over again, and now the flight to Varennes parodied by Gaeta. Of a November night, as is confidently affirmed, the pope mounts the coach-box of the Countess Spaur, wife of the Bavarian Minister, disguised as a footman. The Romans discredit the official statements, and caricature their own story elaborately. Under the travelling-carriage dangles the usual water-bucket; but, no! on closer inspection it is the tiara, turned upside down. Escaped from the city, the countess receives him into the carriage. Cupid holds a light and opens the door, while Pio Nono rushes into the embraces—nay, the talons—of the double-headed eagle of Austria, disguised as a lady, the amiable Madame Spaur.

The great bell of the Capitol was rung, as for a dead pontiff. The flight to Gaeta terminates the first act, and changes the whole drama. In his retreat, Pius elaborates the new dogma of the Immaculate Conception, and takes lessons from Austria and the Jesuits as to his future policy. It is all

summed up in one sentence: "The Society of Loyola will make you a great pope if you will do its bidding; if not, remember Ganganelli, and don't eat figs, nor even drink of the chalice at mass." Pio Nono was effectually converted.

So was Antonelli, who now comes into a melancholy prominence, and whom we must load, like a scapegoat, with all the miserable responsibility for what followed. If he was in reality the man of Pio Nono's choice, the case would be different. There is some reason to believe that he was, in fact, imposed upon the worthy pontiff, lodged in his palace as his keeper, and so made the pledge and guarantee of his subserviency to the Jesuits; as if, in short, they had cursed him with the imprecation of the Psalmist, "Let Satan stand at his right hand." Henceforth, charge all to the black pope at the Gesù, and their confederate, Antonelli. Pius had indeed sold himself to grind in their mill, with his eyes put out; his mess of pottage must be eaten with this curse; death was in the pot.

Edmond About's portrait of Antonelli is not a flattering one, but it is now generally credited as a faithful photograph. In some degree we shall rely upon its facts. Whelped in a den of thieves at Sonino, among the hills of the robbers, on the Neapolitan frontier, the future premier came into life, half wolf, half fox, with all the instincts of a beast of prey. His boyhood was nourished among the brigands, in all the romance of their exploits and sufferings. When the French held Rome, under the first Napoleon, they made a dash upon his native village, killed right and left with their fusillade, drove off a herd of prisoners to the galleys, and decorated the gate of the town with a necklace of grinning skulls, which the crows picked to the bone. The young *Giacomo* was not slow to discover that a bandit's life was poorly paid; he also had wit enough to discern that a wolf, if he could get into sheep's clothing, fared much better at Rome. He entered upon the rôle of an ecclesiastic, not to become a priest, for that particular sacrilege was not to his liking. He accepted the tonsure, after the manner of Rome, to put himself into office and into the line of promotion. Gregory XVI. found him a man after his own heart, and soon gratified the young aspirant with a place. He was rapidly called from post to post, and made, by a jump, Minister of Finance. In

this place, says About, he found himself "able to *economize* more cash in six months than all the banditti of Sonino could bring together in twenty years," at the risk of their lives and skulking away from the daylight.

When Pio Nono began his reforms, Antonelli became a reformer too, and gained a cardinal's hat. His immoralities were hardly concealed, every body was convinced of them; "but then he is not a priest," replied the sleek *prelati* of the Papal Court; "he never says mass, you know." A brief experience of republicanism converted Antonelli back again to the good old ways of his patron, Gregory. What he did at Gaeta is not clearly established. Probably, like Chaucer's man of medicine, he was not much occupied with "searching the Scriptures." He was converted to the Gospel of 1815, represented in the Roman caricatures of the period by an altar, on which a symbol of the Holy Alliance blazes in a monstrance. The candles on the altar are rows of bayonets tipped with flame; two enormous cannons, set on end, flank the shrine, like the huge candlesticks in a cathedral. Austria kneels at the altar, and points young Francis Joseph to the open missal; a skull and cross-bones adorn the page where the tiara and keys are usually seen; and instead of a plate of the crucifixion, the other open page exhibits an Austrian gibbet and a martyred patriot.

Meantime the French Republic sends an army to Rome to crush the sister republic. We simple Americans marvelled; but Louis Napoleon knew his trade. It was good policy. The Mazzinians could not succeed, and the only question was whether Austria or France should get hold of the city and the pope, and work them for Europe. The French had no doubts on this question, nor have we any thing to object. Had not Austria been outgeneralled, the world's history would have been widely different. Oudinot shelled the city from behind St. Peter's. The Trasteverini fought like the old Romans, from whom they boast their descent; but the French poured in, over piles of their mangled bodies. *Væ victis*. Once more Rome saw the Gauls its masters. Pio Nono was beckoned back, and he came: death and hell following hard after him—that is to say, Antonelli and the Jesuits.

The Roman caricaturists have hit off the return, in striking

contrast with the former entry, when the dove hovered over his head. This time it is a whizzing bomb-shell; the pope's chariot is a mortar; the coachman's box, an executioner's block. He lifts his hand to bless, but his fingers only point out the scars of shot and shell on the Porta San Giovanni. Hundreds of cannon-balls were still lying about the streets; and the pasquinade of the day was in the following words: "The holy father gives these sugar-plums to his beloved children."

Like a true vicar of Bray, Antonelli was on the winning side, of course, and now entered upon his monstrous career of reaction. We keep About's portrait before us, one of those marvellous works of art, familiar with *connoisseurs*, which are burned in upon wooden panels with a red-hot iron. He made great thrift for himself and his family, by fines and confiscations. He became the richest man in Rome, next to Torlonia. But his coffers were blood-stained. The widows and orphans of Bologna cursed him; the blood of Ugo Bassi, priest and poet, cried against him from the ground; the upright ghost of Cardinal d'Andrea shook its locks at him. In seven years, sixty executions in Ancona; in the Romagna not less than one hundred and eighty; the malarial prisons were crowded with dying wretches. France insisted on an amnesty; Antonelli contrived to except the names of two hundred patriots condemned to perpetual exile. Hundreds more were put under the *precetto*; that is, they were prisoners in their own houses, under rigid police; every one of them must be within doors at the *Ave Maria*, or be banished. The *Ave Maria* is a very edifying ceremony; we have heard Americans full of sentimentality about its picturesque effect. In the little town of Viterbo, two hundred subjects of the *precetto* said something widely different from the *Ave Maria*, when its bell sounded at sunset and they ran for dear life to reach their doors before the police.

Every thing was of a piece in this paternal government. The marsh-drainage of Braschi and Chiaramonti was neglected under the good Ferretti, who was building the useless pile of St. Paul's, beyond the walls. The poor reapers on the Campagna found its scanty harvests deadly as a battle-field, at a few *baiocchi* per day. Terrible imposts—thirty-one per cent going to collectors, etc.; a large sum spent on a papal army, whose chief

business was to present arms when Antonelli drove by; an edifying contrast to the old fusillades which had scared him in his cradle, and which were the hereditary salute of his family.

“Hail, holy light!” Let us turn to the great man of his age—the true father, under God, of modern Italy—the truly noble Cavour. This man’s career will be more and more admired through all time. Breaking away from the dreams of Gioberti and the delusive statesmanship of Guizot, this man saw that there was no hope for Italy, save in its absolute emancipation from the pope. On this principle, he forced Charles Albert to his desperate attempt, calculating that even its failure must work for good; and now on this principle he undertook to shape the policy of the House of Savoy, and to make a constitutional king, instead of an impracticable republic, the base of his operations. It was masterly when he gained for his young king an alliance with France and England in the Crimean War. A bad war; but no matter, it might be made to help Italy; and so it did. It brought out the young king as a soldier, and it enabled Cavour to claim a seat for himself and his country at the Treaty of Paris. Italy began to foresee herself. The Great Powers refused, indeed, to listen to Cavour in her behalf; but he left Paris with a prophecy that moved the sympathies of the world: he forewarned them that Italy must be their next business, and it came to pass very soon.

Orsini threw a grenade under the coach of Louis Napoleon as he alighted at the opera-house. The emperor was not hurt, but he was awakened. The short, sharp campaign against Austria followed. The startling Peace of Villafranca disgusted Cavour, with its work half done; but it freed Lombardy, and made his sovereign “King of Italy.” Victor Emmanuel entered Milan in triumph as a deliverer, not like Barbarossa, who battered down its walls under the same royal title. Then came a momentary chance for realizing the dream of Gioberti. It was the last chance for Pio Nono. Louis Napoleon offered the pope an honorary suzerainty over the new Italy; but he, like another Celestine, despised by Dante, made, “through cowardice” or something else, “the grand refusal.” His own fatal mistake, and another blunder of Jesuitism. Cavour’s diplomacy was superb; the duchies and legations would not take their maud-

lin satraps back again, and he suggested the *plébiscite*, the emperor's own game, which he could not refuse. He had gained his crown in that way; in that way he had forced Cavour to let him take Savoy; so of course his mouth was stopped. The King of Italy soon reigned up to the marches of Tuscany. Again, a game of Cavour's, the alliance with Prussia. Sadowa followed, and Venice was the reward of Italy. Victor Emmanuel reigned from the Alps to the Adriatic.

How wonderfully Providence fashions the dynasties that change the fate of nations! James Stuart is hatched out in Scotland to create "Great Britain," and Henry of Navarre is called, in like manner, to reorganize France. Cyrus the Mede finds his way to Persia, *Deo duce*, when Babylon is to be destroyed. Who could have foreseen the destiny of the House of Savoy, to mould a Cyrus for the enslaved Romans? The traditions of this family bade them follow the course of the Po and the tide of time; both currents coincided at this moment: the one floated them superbly into Venice, the other took them to Palermo, once before momentarily theirs, and then enthroned them on the hills of the Cæsars.

Ricasoli must be credited with the transfer of Tuscany; but that red-shirted thunderbolt, Garibaldi, was the besom of God to accomplish the rest. The management of that fiery spirit; the keeping off from interference the meddlesome Great Powers; the task of repressing his fiery zeal at one moment and letting him loose at another—this was Cavour's herculean achievement; but nothing was ever more cleverly done. Then came the war of France with Germany; the French troops were withdrawn from Rome; Cavour made one more move, and said, "Check-mate." The game was won; his sovereign was king over United Italy. You remind us of our mistake; but not so! Cavour, for nearly ten years, had lain mouldering in the grave; but it was his great spirit that was "marching on." When the Porta Pia was battered down; when Rome shouted for joy; the hero of the pageant was Victor Emmanuel—but the triumph was Cavour's; under God, his only. Yet let not Dante be forgotten. He should henceforth be represented with a double wreath of laurels.

When the entry of the patriot troops was felt to be inevi-

table, a great smoke rose from the Gesù; it was thought to be on fire; but the Jesuits were only burning the material of history—a mass of documents which ought to have been made over to Clio. Nevertheless, there are books yet to be opened which will reveal to the universe the horrible story of three centuries of misdoing, which they hoped to conceal forever.

On a brilliant autumnal day we first looked down upon the Piedmontese valleys from an Alpine summit, white with perpetual snows. Then and there the writer of these pages uncovered his head and solemnly recited Milton's sonnet, as a hymn to the Most High:

"Avenge, O Lord! thy slaughtered saints, whose bones
Lie scattered on these Alpine mountains cold."

It was soon after the defeat of Novara, and all as yet seemed dark, and even hopeless. How suddenly God has answered the prayers of many ages since that day! Milton's prayer is turned into prophecy fulfilled. The ashes of those martyrs have, indeed, been sown "o'er all th' Italian fields;" and his words—

"Where still doth sway
The triple tyrant"—

describe only a past which God and man have concurred in making a thing of the past forever.

We have yet a little space for a reference to ecclesiastical affairs, the record of which, under the late pontificate, is to be traced in the *Civiltà Cattolica*, for it is merely the story of what the Jesuits have been doing by the misused hand and voice of poor Pio Nono. For a few forcible touches of his portraiture we again revert to About; not to translate him, but merely to keep the features before us, while we describe in our own words. The character of the kindly old father is a compound of devotional ardor chiefly directed to the Madonna, with benign weakness, and a vanity like that of Narcissus. He honestly believes in himself, and his honest confidence in his vicariate, as successor of Peter, is unbounded. His lack of learning, indeed his exceptional ignorance, is proverbial. Nothing in the claims of his predecessors is too gross for his pious deglutition. The church, "that's myself;" the world, "that too;" the universe of hell, purgatory, and paradise, "all these are mine also." Sa-

tan himself never offered him "the kingdoms of this world and the glory of them," but he never questioned his right to possess them. He once said: "I am the Way, the Truth, and the Life." It was not blasphemy with him; he meant it for piety. He talked of "His Calvary" with equal familiarity, and followed it up with all the "conformities," as if, like St. Francis, he had received the *stigmata* in his hands and his side. He was the product of his education, and he had been an amiably facile pupil. His strong points were obstinacy and a spice of rancor. He always anathematized with unction. His curses were blessings, however, to all appearance; it was fatal to receive his benediction. The peasantry were firmly convinced that he had "the evil eye;" they knelt down when his coach passed, but it was to pray the Holy Virgin that his benedictions might not light on them. He cursed Bismarck, and God made him master of Europe; he blessed Louis Napoleon, and away went crown, sceptre, and sword at Sedan. Innumerable are less prominent examples of the like. Young Maximilian and his consort received his fatherly God-speed when they went to Mexico; his throne perished like a toadstool. Poor Max was shot most mercilessly, and the widowed Carlotta bewailed, in a mad-house, the lost felicities of Miramar. Victor Emmanuel, whom he consigned a thousand times to the infernal furies, took all Italy under his wing; kissed the old pope, as it were, on his death-bed, and passed the crown peacefully to his successor. Humbert began his reign under the same anathema; but, when the papal court appealed to the thrones of Europe not to acknowledge him, they replied that his kingdom was an accomplished fact. Pius lived just long enough to see that this was a decree of the Medes and Persians, which altereth not. Then he succumbed. Now, give to just such a good old man the convictions with which he had been crammed, like a Strasburg goose; add an Antonelli for his guide, philosopher, and friend; and make the copartnership over to the Jesuits, as managers—what is there left of mystery in the extraordinary position of the popedom, as it stands to-day?—a novelty as absolutely the product of our own century as the electric telegraph. Only, it is the concentration of all reaction, as the rest of the world is of progress.

It is time this fact should be better understood. The Jesuits understand it, and laugh at the sluggish perceptions of mankind. The Roman Church is simply their society. They took it into their grip at the Council of Trent. There were loud outcries even in that council, as see Father Paul. It is a council that never was really adjourned, for it has gone on ever since, within the walls of the Gesù—a Stygian Arethusa, underground, till it showed itself, once more, at the late Council of the Vatican. That, indeed, was no council at all; the ceremony was gotten up merely to publish and make unquestionable the consummated revolution which had been working in and cropping out, till now it was time all men should know the “Roman Catholic Church” to be, in Protean variety of form, nothing more than the Society of Loyola. That old military figure seemed present at the scene, sitting, like Marius, among ruins—the ruins, not of Carthage, but of the Rome that was, out of which his sons were now preparing to create another sort of empire, and once more to rule the world. To illustrate this, call up the men of the past who used to live in communion with Rome. Every one of the old saints and heroes would wake to find himself and his teachings under anathema. St. Bernard is a heretic; St. Thomas Aquinas and the schoolmen, all heretics. Bossuet, a worse heretic than Luther, by order of the Jesuits. These knew nothing of the new dogmas; they wrote down the very first hint, borrowed from Mohammed, of Mary’s immaculate conception. Bossuet, moreover, proved that popes were fallible men, and had been recognized heretics, even in the best days of the church. So every thing has been changed in Rome. Its old popes would not know how to utter its new shibboleths of orthodoxy. Modern Romanism is, more justly than any other system, subject to its own taunt, “Where was your religion before Luther?” Dr. Döllinger and the “Old Catholics” have found it out. Austria learned something, and abolished the Concordat. Lammenais found it out, with melancholy results. So, too, the early friends and accomplices of Pius, Ventura, Passaglia, the virtuous Montalembert, dying of chagrin, and rewarded with contumely. Last of all, even Padre Curci, the champion of the *Civiltà Cattolica*, partially opens his eyes. But just so long as the old ceremonies are kept up, the stupid

intellects of millions will concede that popery is "the old religion."

On his twenty-fifth anniversary, Pio Nono published an encyclical, from which we gather what the Jesuits regard as the glories of his reign. That was in 1871, but he still looked for a restoration to his temporalities. He thus enumerates the wonders of his work:

1. We have succeeded, according to our desires and those of the Catholic world, in declaring, by a *dogmatic definition*, the Immaculate Conception of the Virgin Mother of God.

2. Also, in decreeing celestial honors to many heroes of our religion, of whose succors we have no doubt. This refers to the Japanese martyrs.

3. We have extended the hierarchy to new regions—*i.e.*, England and the United States.

4. We have condemned the errors of the epoch in the Syllabus.

5. We have viewed the churches of the Orient with paternal affection: which they respectfully decline.

6. We have convoked the Vatican Council, and only adjourned it because of the war.

7. He falls into ecstasies, and proclaims a plenary indulgence. He says nothing of the revolt of universal enlightenment. He forbears to point out that his great patroness, who was to reward his superlative devotion by overcoming all enemies, and "catching bomb-shells in her apron," for the discomfiture of Garibaldi and Mazzinis, had apparently no other means of showing her gratitude than by ceremonies less practically useful. True, pictures of the Madonna have been observed to open and shut their eyes ever since, with smiles of approbation. Many unquestionable miracles have been wrought—at Lourdes, for example, and La Salette. The coincident decease of the great pope may account for the only acknowledged failure—the attempted resurrection of a Celtic lady at Mauch Chunk. In spite of all, an enthusiastic Romanist in Europe has lately addressed his brethren as follows: "Courage and hope! The epoch of Calvary was also one of great prodigies; after Calvary the resurrection. An imprisoned pope who works miracles and suffers a passion is assured of triumph." We may as well look

the fact in the face, that a million and more of voters in the United States not only accept this as gospel, but are preparing to make it the gospel of our West, turning the Bible out of schools to begin with.

Of the Syllabus and the two novel dogmas we can only speak incidentally, as the real index of this pontificate, in its relations with the future and the past ; but it must not be overlooked that another and a most essential feature of the revolution which it has accomplished pertains to the domain of moral theology. This has not been thought of so much ; but it concerns, more than all else, every family in the world that admits a Romish confessor to the confidences of wives, mothers, and daughters, to say nothing of morally emasculated men. Let us observe, then, that :

1. The Mariolatrous dogma, in the language of Pius himself, makes the Madonna the refuge of sinners, and the only source of salvation. It virtually raises her to the throne, and creates a Quaternity in place of the Trinity.

2. The dogma of infallibility makes the pontiff a sort of incarnation of the Holy Spirit, virtually deposes the Scriptures, and subjects the faith of believers to any new revelation that may be pretended, and so to endless novelties through all time.

3. By the Syllabus, all human thought and all science, all moral systems, and, in short, all governments and powers among the nations, are subjected to the same infallible authority, which is that of a viceroy of God upon the earth.

4. By the sanctifying of Alphonsus de' Liguori, and his elevation to the side of St. Augustine as one of the "doctors of the church," the corrupt morality which Pascal satirized as peculiar to the Jesuits has become the accredited system of Romanism ; its venom is breathed into every soul that turns its ear for spiritual direction to the perforations of the confessional-box.

Mr. Gladstone's vigorous writings have sufficiently elucidated the nature of the Syllabus. The world thinks it can afford to despise it, else it would convulse the world. But let republics beware. It is already operating against the French Republic ; we doubt not it is destined to make intestine commotions in our own.

The Liguorian morals have been faithfully exposed by writers of the Old Catholic school on the Continent of Europe, and by the learned Prebendary Meyrick in England. The unknown but brilliant "Abbé Etoilé," so called, in his striking romance "Le Confesseur," has delineated it in practical operation, under the manipulations of *fashionable* "directors" of conscience, especially in Paris. He writes with a force of argument and a coruscation of diction that rank his novels among the most meritorious moral essays of the age. But still the world sleeps on; Protestants send their tender daughters to the leprous walls of convent-schools; and when the next struggle of Romanism with governments and with nations breaks out, as it surely must, then will be seen the full force of Bishop Wordsworth's aphorism, "Romanism will survive Rome."

In order to get a clear idea of what this new Romanism is, as the creature of Jesuitism, attaining its majority under Pius the Ninth, we must recur to the past, and point out some particulars in which history needs to be rewritten. Freeman has led the way in that reform of empirical histories which, before all things, should be immediately applied to the story of the popes. The art of printing and the centuriators of Magdeburg scattered the decretals to the winds, and enabled the wise to discover that the Papacy of the Middle Ages was the creation of those forgeries in combination with feudalism. Still, poetry and the historic muse alike persevere in educating the popular mind upon the old chimerical theory of St. Peter's chair, a succession of "popes" of which he was the first, and a Catholic Church in which the Pope of Rome was always supreme. The triple-crown, almost a modern ornament, and the pompous title of "Pontifex Maximus," which first appears on medals and coins of the fifteenth century, are associated not only with Gregory, the great patriarch who abjured the idea of an universal episcopate, but even with Sylvester, if not with Cletus and Linus. From these Hipparchian blunders it is time to come to a practical Copernicanism, in things of the ecclesiastical universe. Popular thought and even theological education are all in a mist about it. Thus, then, let us first define a pope—such a one as Pio Nono would admit to be the meanest of pontiffs, the least to which a true pope could pos-

sibly condescend; the limit, in short, at which a pope's *non possumus* must be made emphatic. Then bring instruments of precision, and see to what exact point facts force the index. To our mind, after years of searching experiment you have the first "pope," in Nicholas I., A.D. 858, a point strangely enough coincident with that of the Popess Joan, whose place in the succession, whether historic or mythic, is a symbol of the human conscience as to the appearance of the scarlet woman; the mother of harlots such as Theodora and Marozia, the product of the period, who with other Messalinas make the papal history for ages all that the Apocalypse had foretold. This coincidence should not be overlooked.

The Abbé Guettée, the most philosophical analyst of this history, nearly reaches our result, but settles on Adrian I. as the founder of the Papacy. There are reasons to be derived from his own showing why Nicholas must be preferred. Adrian attempted to authenticate the decretals, but Nicholas succeeded in so doing. Adrian succumbed to a council and to the Emperor Charlemagne; Nicholas overcame bishops and princes, and actually made the decretals the base of a new canon law. Thus, after two centuries of decay, he practically abrogated the old Nicene Constitutions and Canons, of which the bishops of Rome, until his time, had been professedly the guardians and administrators for the West. Finally, Nicholas setting his foot upon all definitions, limitations, and donations of the great synodical period, not only broke with Constantinople and the East, but made the perpetual estrangement and schism of the West thereafter a logical necessity. The Orient never acknowledged the Papacy for a moment. She became conscious under Nicholas that the West had a new ecclesiastical system, to which she could "give place by subjection, no, not for an hour." She adhered to the old constitutions, and remains subject to them to this day; the real trunk and root of the "Catholic Church," as understood by the councils and the Christian emperors. The "Roman Catholic Church" is an invention of the Council of Trent. Before that date, the Papacy ruled over the Latin churches, but had neither absorbed nor suppressed them. She has succeeded in doing both, in the Trent Council, and its mere sequel, the Vatican Council

convoked by Pius the Ninth to register his decrees, and not yet formally closed.

To Quinet, in his Lectures on Ultramontanism, is due the credit of seeing into this history more clearly than other Frenchmen. Even Guizot, though a Protestant, is lost amid Hipparchian cycles and epicycles, and imagines that Christendom somehow has, or ought to have, a pope for its pivot. So Rousseau and Voltaire, by keeping up the impression that the Papacy is essentially part of Christianity, gave point to their sophistries. Quinet remarks upon the fundamental change effected by the Council of Trent, and then sagaciously adds, "The artifice consisted in making this change *without anywhere speaking of it*." To the manipulations of Laynez and his colleagues, through seventeen years of persistent intrigue, the existence of "the Roman Catholic Church" of modern times is due. Nothing said, but it was done. The Society of Loyola took the Papacy into commission, and enthroned its own absolutism by nominally giving all power to the pope. "No more discussions, no more solemn deliberations," says Quinet: "Every thing is regulated by briefs, bulls, ordinances. Pope-dom usurps all Christendom. The book of life is shut; for *three centuries not one page has been added*." Here was his mistake: the book of Jesuit vitality was wide open all that time, not subtracting the period of its nominal suppression, and every year they took out and added to the volume as they pleased. The Trent Council, as we said, has had a perpetual committee, *ad interim*, sitting at the Gesù, in Rome, till the Vatican Council was opened—to recognize and to make irreformable the work it had been working. But this last Vatican thunder woke up Döllinger and his associates, and lo! he finds that the "Latin churches" have disappeared; the "Roman Catholic" bishops are the mere functionaries of one universal bishop, having no character of their own; and the universal bishop is not, after all, the "white pope" that does the functions, but the *Papa Nero* of the Italians, the General of the Society of Jesus. "Where was your religion before Luther?" It is certain that creed, constitutions, and every thing else have been so changed by Trent and its sequels, that this question returns, with tremendous impact, upon its inventors.

To understand these facts is to give philosophical force to the empirical words "Ultramontaniam" and "Gallicanism," and to reduce them to terms of precision. In the politics of Northern Europe, "Gallicanism" means the Cæsarism which reserves some power to sovereign princes over the Roman Church in their own realms. With theologians like Bossuet, anxious to reconcile his adhesion to Rome with his learning and his reverence for the great councils, it means much more: it means a theory by which he reconciles with the letter of Romish orthodoxy, *as it was in his day*, a firm adhesion to the idea that national churches have a right to exist, do exist, and are only subject to a Roman *primacy*; for the Roman *supremacy* had never been decreed, however tyrannically acted upon, in his times, nor indeed until ours. Bossuet's great advantage was found in the positions of the councils of Constance and of Basle. Rome had been forced to recognize them, and they were the echoes of that old "Gallicanism" which Charlemagne enforced against Adrian in the Council of Frankfort, which Hincmar thrust into the face of Nicholas and of Adrian II., all in vain; but which St. Louis himself succeeded in making the political system of his kingdom. In 1682, Bossuet obtained a reassertion of the "Gallican liberties" by the whole French episcopate, and he defended it forcibly in his great treatise on their "declaration." De Maistre, defending "Ultramontaniam," pronounces this act as really schismatical as that of the English convocation under Archbishop Warham and Henry VIII. And so it was in the eyes of Pius IX. and of the Jesuits. The French called the transalpine ideas "Ultramontaniam," but it was transparently the system of Trent, as against Constance and Basle. The change made, as Quinet says, "*without anywhere speaking of it*," had allowed the Gallicans and others to delude themselves in efforts to ignore it. The time came to *speck of it*, and to render "Gallicanism" impossible forever. Hence the Vatican Council, which was called to *speck out* a base response when Pio Nono recited his Creed. This council as truly dug up the bones of Bossuet and scattered his ashes to the current of Lethe, as Constance did the dust of Wiclif, when they threw it into the rivulet that runs by Lutterworth, and so gave it to the ocean and to the universe.

Cut down an old tree to the stump, and graft it with an alien growth. Up rises another tree, perhaps as venomous as the Upas; but if the old stump is vigorous enough to send forth suckers waxing into strong stems, and spreading boughs that bear good apples, you may be sure the popular mind will take the Siamese Twins for one and the same tree. It will amaze them to see some who are sheltered by it contriving to gather food from it and to sustain life and health under it, while confessedly for others it taints the very air with death. Just so, an ancient remnant called Gallicanism has grown side by side with the Jesuit "Upas" until now. Pascal and the Port-Royalists have struggled to eat of the tree and live; but the modern graft has supplanted the old stock at last. The whole tree is deadly. The serpent nature of Jesuitism finds it its congenial abode, embraces the whole trunk with its folds, and uplifts its subtle head triumphantly amid the branches.

Let us understand, then, the nature of the new Romanism, which the Jesuits are planting so vigorously in our great cities, and more especially in the West. It is not the Romanism of Bossuet. By a cunning economy, Carrol and Cheverus, who were fine specimens of that school, were first sent out to beguile us with delusive ideas of a possible conformity with republican institutions. Now we have cardinals and archbishops, one and all the bond-slaves of Jesuitism; not one of them, not even Kenrick of St. Louis, who alone has uttered a manly word, daring to say his soul and conscience are his own. Every one of them is committed to the Syllabus; all reduced, by their oaths to the pontiff, to make themselves the mere emissaries of a power which is the sworn enemy of every free thought, and above all of every constitutional government; to which Cavour and Washingtons alike are damnable; which intrigues to overthrow the French Republic, and refuses the last sacraments to those who pray for King Humbert and Victor Emmanuel. The Papacy is no more, it is true, what it has been; but as the symbol of Jesuitism its tiara and keys are not less formidable than before. "Romanism will survive Rome;" and this survival is the phenomenon which theologians and statesmen should now meet with new weapons, and contend with unto the

death, as the common enemy of truth, morality, and enlightenment.

The rise of "Old Catholicism," under the reactions of this pontificate, becomes, therefore, a matter of no common interest. If only it might be transplanted to our soil, it would make havoc with American Romanism; we beg pardon, for the words cannot be associated—we mean Romanism in the United States of America.

In Europe, indeed, this movement is yet feeble, and of uncertain voice and foothold. Yet it is a token of the great truth, that wherever there are manliness and conscience left in Romanism, associated with true learning, there is a necessary contempt for the new dogma. Nobody, in point of fact, believes it. Millions swallow it down; *credo quia impossibile*. But these are "heads without name, no more remembered;" fanatical worshippers of winking Madonnas; pilgrims to the water of Lourdes; men who trade in promotion, and are determined to wear mitres, rings, etc., if possible, cardinals' hats, "by favor of the Holy See;" these and fools in general, whose opinions have no relation to evidence. We may be quite sure that nobody in his heart believes either of the two dogmas, which Pius has bound upon their necks on peril of damnation. Look at the plain facts of the case. Instead of counting the votes at the late council, weigh them. All appointments to the episcopate for a whole generation had been made with reference, so far as prudence and policy might permit, to this one thing—abject submission to the Roman See, as infallible. The preliminary dogma of the Immaculate Conception was experimental; the little balloon which tries the way of the wind before the aeronaut ventures to embark himself. It settled the fact of a dead conscience and a slavish hierarchy. When the council was convened, therefore, it meant that "all things were ready;" the craftsmen, the shrine-makers, were all prepared to bow down and to cry out, like an Ephesian mob, "Great is the pope-king of the universe."

Still, some brought brains, if not consciences, to the council. Dupanloup went there with a wry mouth, but it was known he had his price, and would not ultimately say no. Darboy and, to their credit be it said, a respectable number of like natures,

but less independently placed, came with infinite disgust, though, of course, intending at the last pinch to stifle conscience and give in a forced adhesion. Poor unhappy Father Newman, with more in one phrenological bump than all the heads of the Ultramontanists together, had no place and no vote, but prayed against the inopportune dogma at home; while the vain, self-seeking Manning excited the rebuke of Dr. Kenrick for out-Heroding Herod in his passionate devotion to the Papacy. Notably, the majority of the Germans were bold enough to vote against the *schema*, at first; even the Austrian bishops were honorably distinguished. Among them we count Strossmayer, Rauscher, Schwarzenberg. Gallicanism was strong in Germany in the last century, when Von Hontheim, under the name of Febronius, revived it, and when Joseph II. established it in his empire—for which, as the author of “Josephism,” the Jesuits have loaded his memory with injuries.

On the day before the final vote there was a significant bolt: what there was of good wine was decanted; what was left—was feculence. Pius told them to their face that their presence and their votes were a mere ceremony. He was the council. “Your holiness is aware,” say the bolters in their farewell, a Parthian arrow in velvet, “that there were eighty-eight fathers who, moved by *stress of conscience*, . . . voted *non placet*; sixty-two others voted *placet juxta modum*; and finally, about seventy *who absented themselves* from the congregation and abstained from voting.” In short, in view of these facts, etc., etc., etc., “we have decided to absent ourselves—returning to our flocks, lamenting . . . *that we are likely to find the peace and repose of consciences among our believing people broken up.*” No fear of that, however. A nauseated digestion belongs to organized life: “repose and peace” are attributes of honest, open-eyed faith. They returned to a people among whom nothing but *organized death* has sway. They themselves proclaimed a dogma which they did not believe. They did it under the lash of Antonelli, who cracked the pontifical whip over their slavish heads, in an edifying letter informing them that, their Master being infallible, they must, in short, do his bidding or be damned.

It was in view of this abject revolt of the entire Romish episcopate against historic evidence, against facts, against truth,

against the Divine Redeemer, that Döllinger, Reinkens, Schulte, Huber, Massen, Langen, Friedrich, with others, inscribed their honored names to a remonstrance, dated Munich, September 21st, 1871. They say: "We maintain firmly the ancient Catholic faith, so as it is based upon the Scriptures and tradition. . . . We reject the dogmas decreed under the pontificate of Pius IX., in contradiction with the doctrine of the church and the principles observed in the College of the Apostles, particularly the dogma of Infallibility and of the supreme and *immediate* jurisdiction of the pope"—i.e., as the *ordinary* of every diocese in the papal communion, the nominal bishop being only his lieutenant, having no authority of his own.

Döllinger and his friends, like all the Gallicans, resist the destruction of national churches by this abolition of all *direct* jurisdiction of their bishops, and they appeal to the ambiguous language of the Trent Council on the subject. This is a weak reliance, because it was made purposely ambiguous, and the pope was made its sole interpreter. But, in spite of the moderate tone of this declaration of the Old Catholics, it is a memorable document; not only because it is signed by names to which the Roman communion could show none superior for learning and worth, but because it is the form assigned by this remnant of "Gallicanism" to its future, under a more logical name, and with new capabilities for making itself felt and respected. Perhaps in the end it may prove itself the regenerative spirit of the enslaved and pulverized Latin churches. It is noteworthy that the Jansenist Church of Holland has come forward at this juncture, as it were, to justify its own existence by giving its historic episcopate to the Old Catholics, just as little Savoy imparted itself to Italy.

Let us not be sanguine as to any very sudden development of "Old Catholicity." When one reflects that the entire priesthood of Romanism has been trained to trifle with conscience and with consciences by the moral ambiguities of Alphonsus de' Liguori; when one reflects how little it knows the Scriptures, and how steeped it is in the dye of a vitiated tradition, what can be expected? Can these dry bones live? Meantime a new pope will soon succeed to a system which is not that of any of his predecessors. The idea that it is the Lamaism of the

West will bear analysis and comparison. It is certain that now, if never before, the Roman See is vacant, and cannot be filled by the action of the cardinals. They may elect a pope, but he will be in no sense a "Bishop of Rome;" the assumption of infallibility and supremacy may make a demigod, but they obliterate all traces of the bishopric of Gregory the Great. If there are a dozen "Old Catholics" in Rome, the primitive principles formulated by Vincent of Lerins identify *that remnant* as the apostolic church in Rome. Let them meet and elect a true bishop, who shall preach, confirm, and do the work of an evangelist. Let him proclaim the Nicene Constitutions and renew communion with the East. The Orientals will recognize him as "Bishop of Old Rome, and patriarch." By God's blessing this may spread, and wherever consciences survive, it will regenerate the Latin churches. For us in America it might solve a problem of the utmost importance. It would bring to a practical test the possibility of reforming the Romanism which has been planted among us, and rendering it compatible with free institutions. Like Jansenism, it might not do away with external ceremonies for a generation or two; but like the dawn of day, it would depose the owls and the bats, and forbid them to hoot and rear their habitations among the ruins of a once glorious republic.

A. CLEVELAND COXE.

SHALL THE KEYS OR THE SCEPTRE RULE IN GERMANY?

ALL eyes have lately been fixed on the Orient, watching with intense, absorbing interest the fresh developments of "the Eastern Question." While the most horrible of modern wars has been working out what we may hope will prove, under Providence, to be a permanent settlement of an urgent and long-vexed question, which involves many and various "interests," both moral and material, men have had little time or thought to bestow on the less obtrusive, though not less important, aspects of European affairs. France, indeed, diverted to herself for a time some share of public interest, during the portentous political crisis through which she recently passed. And Italy, with her milder crisis, followed as it was so soon by the unexpected loss of her gallant king, drew to herself for a brief space the eyes of all Christendom. But it was only a momentary glance, after all. Men's eyes were speedily riveted more firmly than ever on the fierce struggle so bloodily waged in the south-east of Europe between Cossack and Turk—the Cross and the Crescent.

Not for a long time, never certainly in the present decade, have the internal affairs of Germany attracted so little general interest as during the past year. This might be regarded as a good omen in ordinary circumstances; for it would betoken an amount of internal peace and happy harmony to which the empire, in its early years, has unfortunately been a stranger. But the truth is, that all the while a problem of yet greater complication, larger history, and farther-reaching issues than even the question of the "unspeakable Turk's" future standing in Eu-

rope, has been agitated in Germany. The conflict between church power and state power has been vigorously carried forward, without any sign of yielding on either side; and inasmuch as this is a subject of permanent and practical interest for almost every civilized country, we may confidently expect the attention of not only politicians and ecclesiastics, but of intelligent patriots everywhere, to revert to it, after the din of battle has subsided in the East.

Attention may be profitably directed to this question at a time when Death's visit to the Vatican, as well as to the Quirinal, has called our thoughts once more from their centre in Byzantium to her more ancient rival of the West. The decease of the venerable Pope, though an event long expected, has significance enough, even in a time when the scenes of the great world's drama are shifting with bewildering rapidity, to raise serious considerations in many minds. It is not merely John Mastai Ferretti, the devout enthusiast, who has gone the way of all the earth, and whose good the charitable are prone to praise, while they seek to bury the evil with his bones. But it is Pius IX., the Infallible, who has gone where problems which vexed him long have been finally solved for him by a higher tribunal than his own. It is Pio Nono, the long-lived but shortsighted occupant of St. Peter's chair. It is the Roman Pontiff, the amiably obstinate representative of certain ideas, which have a great living system based on them, and which bear directly on both the temporal and the spiritual well-being of millions of mankind.

Hence the newspapers may recount the slaughter of hecatombs on the shrine of horrid war, without suggesting to the mind one half the questions started by the quiet demise of this one old man. Of these one of the first is: Will the war of the Curia on modern society go with him to the grave? He would be a sanguine man who should answer, Yes! Pius IX. is gone; but Rome remains. She is "ever the same." And the hitherto dominant parties in the church are not likely to resile from a policy whose past they cannot cancel, but whose future they may hope successfully to control, merely because he who, during a long tenure of office, was quite as much their tool as their chief, has been at length beckoned by the death angel to make

room for a successor. Ultramontanism will remain, or again become, paramount, it is to be feared; and that means war, vigorous and unremitting, between Rome and every free-born commonwealth. It means a continuation, in a violent form, of the great church and state controversy, which Bismarck calls "the immemorial conflict of authority between kingdom and priesthood (*Königthum und Priesterthum*).” And even if, as some expect, the papal claims shall be temporarily held in a politic abeyance by the new pontiff, they will surely re-emerge in their fullest force at some future time; for Rome may bend, but she will not break, and she has often before shown how well she can "bide her time." Leo XIII. certainly begins his pontificate at too advanced an age to admit of its being a very protracted one.

It may be said that Americans, of all men, have least occasion to concern themselves with troublesome questions about church and state relations, since they have solved the Gordian knot by an entire severance of the two. But the United States have a considerable and an increasing Romanist population, and it is by no means impossible that Ultramontanism may yet force itself on public attention here in a very practical form. When we find so calm and catholic-minded a citizen as Dr. Philip Schaff writing (as he does in "Creeds of Christendom," vol. i., p. 134): "American Romanists must be disloyal either to the fundamental institutions of their country, or to those parts of the Syllabus which condemn these institutions;" and when it is remembered that the whole Syllabus of 1864 has received an irrevocable and soul-binding imprimatur in the Infallibility Decree of 1870, it is worth while for us to inquire what are the present civil aspects of the Romish question, and the conditions under which the war of the Curia on modern civilization is now being conducted. "Do you in the United States," Dr. Döllinger is reported to have said to an eminent American citizen,¹ "comprehend what that doctrine (Papal Infallibility) involves? It imposes upon those who accept it the solemn obligation to violate civil law, to set themselves in opposition to the ordinances of your government whenever the pope shall

¹ Döllinger's "Fables and Prophecies of the Middle Ages:" Introduction by Dr. H. B. Smith, p. 11.

pronounce his infallible judgment against any one of those ordinances, upon moral or religious grounds."

The logic of the Romish system led irresistibly up to the promulgation of the Vatican Decrees, and the logic of events has no less inevitably brought it about, that the deadlock thereby occasioned between Papalism and the civil power should be most prominently felt in Germany. To the land of Luther has fallen the responsibility—and may we not add, the honor?—of throwing down the gauntlet to papal incursion, and of saying to Jesuitical intrigue, "Thus far shalt thou come, but no farther!" Germany headed, in the sixteenth century, the great moral and spiritual revolt against Rome, which issued in the blessings of the Reformation. To Germany it has fallen, in the nineteenth, to take once more the van in the conflict for self-preservation, which Rome in her fatuity has forced on every state in Christendom. There are peculiar internal circumstances in the Teutonic empire which call for specially stringent measures there; but this battle, in the essence of it, is fought by Germany, not for herself alone, but for the world. She is the representative of every state that cherishes liberty and sets any value on self-respect, or its only proper basis in the efficient and conscientious discharge of its appointed functions to society.

The following advertisement will show that the Ultramontane conflict, though for the time overshadowed, has not been dead, or even slumbering. It appeared in several German newspapers in Cologne and elsewhere, November 14th, 1877, and was issued by order of the chief procurator: "Wanted, Paulus Melchers, Doctor of Theology, and formerly Archbishop of Cologne, condemned by decree of the Chamber of Correction, in Cologne, dated July 28th of this year, to a subsidiary punishment of thirty days' imprisonment, for unauthorized exercise of ecclesiastical functions." (Here follows a description of the personal appearance of the fugitive archbishop; and the paragraph continues): "I call on the police authorities to watch for said Melchers, to arrest him when found, and to produce him before me."

Now unquestionably this is an ugly announcement. It has not an English or an American look about it. And may we be long spared the necessity of adopting any thing similar! But

let us not rashly condemn the German Government without a hearing. Let us not listen to cries of "persecution," raised by interested parties, till we have examined the facts of the case. The above paragraph can only be appreciated in the light of plain facts of history. And we fully admit that strong facts are required for its justification. These, however, are not, we think, wanting. In passing judgment on single measures of this kind, we cannot justly ignore the theory and practice of Rome, her past and present civil policy, the recent important development of her sweeping claims, and her insidious enforcement of them. Nor should we forget the past antecedents and present position of Germany. In judging of her legislation, let us remember that, as a young empire, she does not enjoy so fair and fresh a start as the young American Republic. Germany is not America, still less Utopia; and we must try to read her new laws in the light of German history, German opinion, German institutions, and present German emergencies. Only thus can our criticism be at all "german to the matter." So read, the laws will lose more than half their harshness by losing all their capriciousness; and, instead of condemning the German Empire, we will sympathize and encourage the youthful giant, who, ere yet his thews had time to be knit or his system to be properly welded, has been compelled to fight for dear life against the hoary but most vigorous, crafty, and persistent assailant of social progress and civil liberty.

The Papacy is the result of a historical growth; so is the German Empire. But while the one is an illegitimate development, the other is perfectly legitimate. Now, if we find the culmination of the illegitimate system threatening the dissolution of that which is fair and right, we should be slow to pass a baseless judgment of condemnation on measures which the latter has been compelled to take, under the instincts of self-preservation. The laws promulgated by the German Government may not be an ideal code; but neither are the time and country, nor the circumstances and the interests at stake, ideal. And if the legislation seem coercive in some particulars, what of that? Must not every law imply restraint upon the evil-doers, while it is a praise and comfort to them that do well? Germany may well thank Heaven that she has in Prince Bismarck a statesman who fully perceives his country's danger, and does

not succumb before it—a Cromwellian leader, who, heedless of dangers to himself and conscious of perils to his country, is too resolute in his endeavors to avert the latter to be either threatened or cajoled from his purpose. If he binds, it is to save; if he restricts liberty, it is in the proper interest of freedom; like the tyrant of the Chersonese, he is “freedom’s best and bravest friend.”

We assert, then, that the German Empire in this struggle is acting on the defensive. Rome is the assailant. Her promulgation and application of the Vatican Decrees had to be counterbalanced by stringent legal enactments, if the empire was to have a chance to exist and consolidate. In support of this position let us interrogate history. We make appeal to facts; and, as the Scottish poet has said,

“Facts are chields that winna ding,
And daurna be disputed.”

With respect to Rome, history tells that she has all down the ages been evolving, both in the spiritual and in the temporal sphere, the content of her fundamental dogma of the primacy of Peter and the divine vicarship of Christ’s successor, the pope. We cannot linger to trace at length what is so patent to every body who knows any thing of history. Rome has never dissociated the temporal from the spiritual in her claim to pontifical supremacy. The popes have long asserted a universal lordship, based on moral infallibility and omnipotence. But the Latin Church has had to pass through various stages of development. From a democracy it has changed to an oligarchy, and now finally to an autocratical theocracy, with an infallible and irresponsible head, who not only claims, like Innocent III., to be *jure divino* king of kings and lord of lords, but must be so recognized by all the faithful under pain of everlasting anathema. Papists may no longer follow their convictions in accrediting either the church, or the councils, or the pope with infallibility. By a process of exclusion all alternatives have been shut off.¹ They must now believe that infai-

¹ The text of the Decrees, and much information on this whole subject, will be found in Dr. Schaff’s “Creeds of Christendom.” The following is the most obnoxious part of the formula: “. . . Docemus et divinitus revelatum dogma esse definimus; Romanum Pontificem, cum ex cathedra loquitur, id est, cum omnium Christianorum pastoris et doctoris munere fungens pro

ibility is centred and concentered in one man, who in the temple of God speaks to them as God. And speaks of what? Not merely of spiritual doctrine and worship, but of all matters pertaining to "faith and morals." It is vain to argue limitation from the little phrase *ex cathedra*, for the infallible one has always interpreted very broadly his function as "pastor and teacher of all Christians;" and while "faith and morals" is an expression wide enough to embrace all actions and duties of the life as well as all beliefs of the heart, the sphere is further explicitly widened by the formal decree of anathema pronounced on all who deny that the Roman pontiff has "full and supreme power of jurisdiction over the universal church, *not only in things which belong to faith and morals, but also in those which relate to the discipline and government of the church spread throughout the world.*"

Thus at last the Papacy has culminated. The evolution of its germinal doctrine is now, at least in theory, equal to the involution. And if its practical application is not yet coextensive, we have to thank resolute men like Bismarck, and still more the counter-development of modern ideas, which they powerfully represent and which Rome cordially deplures.

What we are concerned with here is the fact that in the eyes of Papists all power is now vested in the Bishop of Rome. This consummation has not been reached without opposition, even within the church. But the Jesuits have long worked towards it, and their policy of centralization is at length triumphant. The episcopate has been reduced to a tool in the hands of whoever may occupy the chair of St. Peter. The pope can now openly declare, "I am the church; I am tradition." Thus have the views of the ablest and most conscientious of Rome's theologians been overridden by the ardent and visionary persistency of one whom Dr. Schaff aptly describes as "a theological ignoramus." The acute and strong Bellarmine,

suprema sua apostolica auctoritate doctrinam de fide vel moribus ab universa ecclesia tenendam definit, per assistentiam divinam ipsi in beato Petro promissam, ea infallibilitate pollere, qua divinus Redemptor ecclesiam suam in definienda doctrina de fide vel moribus instructam esse voluit; ideoque ejusmodi Romani Pontificis definitiones ex sese, non autem ex consensu ecclesiæ, irreformabiles esse."

the gentle and eloquent Bossuet, and the learned and candid Moehler had all to yield to Pio Nono.

Never had Ultramontanism a more zealous exponent than the late pontiff. His demands brought him into collision, at one time or other, with almost every power in Europe. It is matter of history that the Papacy has broken the peace of Europe at least a score of times this century. The Emperor William was not the only monarch who had to rebut the impertinent claims of Pius IX., as he did in that memorable Protestant reply of August, 1873, in which he repudiated "any other mediator than our Lord Jesus Christ," and acknowledged his responsibility for the actions of his government to God alone, and not to any earthly pope or potentate. Even the third Napoleon, devoted son of the church, had a fierce quarrel with Pio Nono about the enforced introduction of the liturgy into France, and had to preserve the peace of his empire by quelling with the strong arm those Jesuitical machinations which threatened it, and which have recently made themselves so seriously felt in the Gallic Republic. As Doctor Hodge mentions:¹ "One of the encyclical letters of the present pope so openly denied the liberty of conscience, the liberty of the press, and the lawfulness of tolerating any other religion than that of Rome, that the late Emperor of the French forbade its publication in France; yet the Archbishop of New York read it in his cathedral to an immense and approving audience."

Not content with isolated acts of interference, secret and overt, Pius IX. secured enactments in his favor. On December 8th, 1854, amid great pomp and hierarchical circumstance, he declared the dogma of the Immaculate Conception. This formal deification of the Virgin was only a tentative measure; but it was a large step towards the coveted deification of himself. Exactly ten years later, December 8th, 1864, another step was taken when he issued his remarkable encyclical, along with the notorious Syllabus, which again, six years after, was made infallible and irrevocable by the Vatican Decrees.

¹ "Systematic Theology," vol. iii., p. 561.

The Syllabus, which is a condemnation of eighty prevalent errors of the age, miniatures the whole Romish system, in being a strange and hopeless mingling of truth and error. It condemns much that all evangelical Christians condemn, but also much that is dear to them as life itself. Its bearing on church and state relations is our immediate concern. When it denounces the assertions that "it appertains to the civil power to define what are the rights and limits within which the church may exercise authority" (Prop. 19), and that, "in the case of conflicting laws between the two powers, the civil law ought to prevail" (Prop. 42), we readily give a qualified Amen! to the condemnation. The church is undoubtedly, if not a "perfect," yet a "free society, enjoying peculiar and perpetual rights conferred on her by her Divine Founder" (Prop. 19)—the limits of which, however, she must be careful to define, according to the authority of Him who gave them. Americans can hardly be expected to concur very heartily in the anathema pronounced on those who affirm "that the church ought to be separated from the state and the state from the church" (Prop. 55), any more than in the ban pronounced on those who deny that "the church has the right to employ force" (Prop. 24). And all history both warrants and requires us to place ourselves under the sweep of the anathema hurled at those who have the temerity to assert that "Roman pontiffs and œcumenical councils have exceeded the limits of their power, have usurped the rights of princes, and have even erred in defining matters of faith and morals" (Prop. 23). The keynote of the whole Syllabus and of modern Roman policy is found in the concluding condemnation of those who assert that "the Roman pontiff can and ought to reconcile himself to, and agree with, progress, liberalism, and recent civilization" (Prop. 80).

The Papacy's boast is, *Semper idem*; and the pontiff's desire has been to keep mediævalism in stereotype. But when once the Middle Ages have fled, it is difficult to bring them back. The Vatican Decrees were a bold step in this direction. But they should have been proclaimed some centuries earlier. Governments cannot now afford to acknowledge a papal dictatorship, to subject all civil legislation to the Bishop of Rome's revision,

or submit to the establishment of an *imperium super imperium*, however spiritual be the guise of the Cæsarism that seeks to impose it. Men cannot afford, at this time of day, to surrender their rights as men and citizens, to regard liberty of conscience as *insanity*, or freedom of speech and press as the *liberty of perdition*, merely because an ecclesiastical usurpation has set the seal of its infallibility to the doctrines of the Syllabus.

Hence the ill-fated Council caused no small stir even among intelligent Romanists, who cannot avoid being more or less imbued with the Zeit-Geist. The preliminary announcement of the proposed Council (given June 29th, 1868) was greeted by a shower of hostile criticisms, many of which, in the form of pamphlets, emanated from within the church. And even in the Council, though it was packed with Ultramontanists and had all its proceedings dexterously manipulated towards the desired result, there was any thing but unanimity. The 276 Italians, including no fewer than 143 from the petty Papal States, were, of course, with their Spanish brethren, more than a match numerically for the 84 representatives from France and the 19 from Germany. But the vote of July 13th, 1870 (in the eighty-fifth secret session of the General Congregation), recorded 88 votes *non placet*, besides 62 *placet juxta modum*, while over 80 members refrained from voting altogether. And those 88 *non placet* votes represented not only almost all the scholarship of the episcopate, but about a half of the wealth and territorial domain of Roman Catholic Christendom. The Council was thus really as little unanimous as it was œcumenical. It was merely a packed assembly of Italians, convened for papal purposes. But it served the end in view. Had the pope listened to the ardent entreaties addressed to him during the next few days, or had the recalcitrant bishops remained true to their principles, their church might have been saved from its present direct and, it is to be feared, permanent collision with the civil power. Instead of this, the pope was deaf to entreaty, and the bishops equally blind to their duty. No fewer than 56 of them handed in a miserable protest to His Holiness, four days later, submitting, on grounds of "filial piety and reverence for the Holy Father," to a decree with which they could not concur, but on which they perceived his heart to be set. In other words, they were

ready to commit moral and official suicide in order to please the pope! Sixty others opportunely left the city; so that when the final open vote was taken, on July 18th, of 535 who were present, only two dared to vote *non placet*. And so the "old man of the Vatican," amid the ominous darkness and thunder of heaven, proclaimed himself a god, by the help of a candle-light which a servitor had to hold while he read the important decree.¹ Where were the learned Maret and Dupanloup and Hefele, the proud Ketteler, and the brave Strossmayer on that testing day? And what were two among so many! But let their names go down to posterity as of men who did not flinch in the day of battle, but, holding the courage of their convictions, bared their breasts to the whole hierarchy—Bishop Riccio, of Cajazzo, in Sicily, and Bishop Fitzgerald, of Little Rock, Arkansas.

Archbishop Darboy, of Paris, fell a victim to the fury of the Communists ere he had publicly expressed his acquiescence in the Decrees; but all the other bishops submitted, "for the peace and unity of the church," and in the course of a few months forgot more, as has been pithily said, about the history of councils than the infallible pope ever knew. They and other Romanists, not members of the Council, might wish but could not succeed in "erasing all they had written on the subject," as Gratry on his deathbed professed to do. The treatise of Bishop Kenrick, of St. Louis, for instance ("Concio habenda at non habita"), remains as a convincing proof of the absurdity alike of pontifical claims and of his own subsequent position of servile acquiescence.

But others outside of the episcopate were not so easily convinced. The decrees fell like a weight of calamity on the hearts of Rome's best children. The learned and amiable Newman, choicest of Rome's adopted sons, had the greatest difficulty in accepting them; and while Manning has been vigorously endeav-

¹ The scene is thus graphically described by Professor Ripley in the *New York Tribune* of August 11th, 1870: "The moment had arrived when he was to declare himself invested with the attributes of God—nay, a God upon earth. Looking from a distance into the hall, which was obscured by a tempest, nothing was visible but the golden mitre of the pope; and so thick was the darkness, that a servitor was compelled to bring a lighted candle and hold it by his side, to enable him to read the formula by which he deified himself."

oring to compass the subjugation of Great Britain to the Papal See, his devout and visionary brother-Englishman has been spending the last years of his instructive life in a melancholy, heart-broken retirement. Many other English Romanists, as appeared from the excited controversy raised by Mr. Gladstone's pamphlet, experienced similar perplexity.

It is on the continent of Europe, however, that the effect of the Decrees has chiefly appeared, both within and without the Romish Church. The late pope, in endeavoring to establish his claim to coerce the consciences of men and to indulge his propensity to civil interference by centralizing all power, sacred and secular, in himself, has brought about two disastrous results. He has divorced from the church men who for character and learning were its brightest ornaments, and for devotion its most loyal sons; and he has brought the Papacy into inevitable conflict with the powers that be, and which, no less than the church, "are ordained of God." In other words, he has occasioned the Old Catholic movement of Döllinger and Hyacinthe, and the anti-Ultramontane policy of Prince Bismarck and Minister Falck. And if his "vaulting ambition has o'erleaped itself," who but he and his Jesuitical instigators are to blame, should it "fall on the other side"?

The cheer that broke from Ultramontanes on the attainment of their triumph was short-lived. It might almost be said to have stuck in their throats. Their dreams of universal domination may have been excited by Napoleon's declaration of war next day; but they were speedily dashed by the monotonous train of defeats ushered in by Wörth, Speicheren, and Gravelotte, and the consequent establishment of a Protestant German Empire. If the war, as Bismarck distinctly asserts, was the outcome of Romish intrigue, it brought an appropriate retribution. Subsequent plotting to overthrow the young empire, by playing on its weaknesses—stirring up religious animosities, traducing government, inciting particularism, and sowing treason broadcast among the young—has as yet fared little better. For one of its legitimate though unlooked-for fruits is seen in recent German legislation.

The Old Catholic movement in Germany is all in Bismarck's favor. It is the most noteworthy movement that has arisen

within the church since the days of Jansenism. It presents the strange spectacle of a comparative handful of men, and these among the most learned and pious in the whole communion, claiming, with reason and history on their side, to be the true representatives of the Catholic Church of Rome, and regarding the great body of their brethren as apostate from the faith. Döllinger and his friends have had little difficulty in exposing the unworthy devices by which Papalism has reached forward to its present bad pre-eminence. And they have had as little difficulty, by reference to present church opinion, to past œcumenical creeds and councils, and even to past official decisions of the popes of Rome, in showing that the Vatican dogmas will bear neither of the three tests imposed by the generally accepted formula: "*Quod semper, quod ubique, quod ab omnibus.*"

The significance of this Old Catholic "schism" lies not in the number of its avowed adherents—for these, in 1873, did not number over fifty thousand, and have not increased very rapidly since—but in the force of its logical position, the ability, character, and learning of its leaders, and the widespread latent sympathy with it among those who dare not yet profess themselves. Dr. Döllinger, whom Schulte, another noted Old Catholic, fitly calls "the Nestor of German Catholic Theology," is probably too old and too conservative to carry the movement to its logical issues. But the mantle of future leadership will by and by fall on the younger shoulders of his able and energetic colleague, Professor Friedrich, who will either seek to compel reforms under the new pope, or to have the German Catholic Church so nationalized as to be severed from the jurisdiction of the Papal See altogether.

After the promulgation of Dr. Döllinger's famous "*Erklärung*," to the effect that neither "as a Christian, a theologian, a historian, nor a citizen," could he accept the novel and untrue doctrine of the pope's infallibility, a congress was held in Munich (September, 1871), followed by others in Cologne, Bonn, and Constance. When we remember how conservative a body the Old Catholics are in the main, their cordial greeting to the Evangelical Alliance in New York was no mean proof of their catholicity. Their principles have been distinctly formulated and declared in resolutions proposed at the various councils, by

such accomplished men as Reinkens, Reusch, and Schulte of Bonn, and Döllinger, Friedrich, and Huber of Munich (believed to have been the "Janus," three-headed in this case, who so ably opposed from the first the Vatican Council programme). They advocated many reforms within the church, in matters of doctrine and cultus; but we quote only the two following resolutions of the Munich Council, as specially bearing on our subject. The fifth in order was: "We reject, *as citizens*, the dogma of plenary papal authority, *because dangerous to the State*;" and the sixth, "We hold the *suppression of the Jesuits* to be necessary to the interests of the church *and of civil society*." These excellent men were all, of course, excommunicated; but some of them retained their official functions, as professors paid by government.¹ And on the religious side they had encouragement from the "Old Episcopal Clergy of the Netherlands," who broke off from Rome last century, and are generally regarded as a branch of the Jansenists. When Dr. Reinkens had been chosen bishop by the Old Catholics, these good Dutchmen extended the hand of welcome, by sending Bishop Heycamp, of Deventer, to consecrate him. The episcopal status of Reinkens was further recognized by the emperor, to whom he took the oath of allegiance the same year; and the claims of Old Catholics to state protection, as members of the church established by law, were admitted and confirmed by the highest court in Prussia.

A few months later, the pope hurled an encyclical at the Italian, German, and Swiss governments, in which he took occasion to anathematize these "new heretics" as "unhappy sons of perdition," with their "pseudo bishop, a certain notorious

¹ Dr. Döllinger was Rector of Munich University during its jubilee year (1871). By the time I saw him, in June, 1875, he had ceased to lecture. I visited him in his sanctum. He is a thorough student, and lives in the most simple style, up a stair in bachelor's lodgings, with his books for his only companions. He is a venerable and spare man (born 1799), of an acute, thoughtful countenance, "sicklied o'er with the pale cast of thought," and shaded with a touch of melancholy. In reply to my remark, that I could not leave Munich without seeing the distinguished leader of the Old Catholics, he said, with a half-rueful smile, "Ah! you have come to visit me as one of the sights" (Sehenswürdigkeiten). I asked if he still acted as professor, and he said, "No, I am too old; and though I should lecture, the students would not be permitted to come and hear me."

apostate from the Catholic faith, Joseph Hubert Reinkens." In Switzerland, where the state refused to yield to hierarchical dictation, a church movement likewise arose, at whose head stands Père Hyacinthe, once the most eloquent Carmelite monk of France, now the husband of an American lady and pastor of an Old Catholic congregation in Geneva. The Swiss Old Catholics have had a hard battle to fight in some districts; and they received their share of infallible vituperation in the encyclical of May 23d, 1875, where the faithful are warned to hold them in horror "as strangers and thieves, who come only to steal, assassinate, and destroy."

Thus we see that the German Government, in its political struggle, has strong moral support from this religious movement within the church. It is not improbable that the Old Catholics will by and by find their Tridentine hardly more tenable than the Vatican platform. Return to Rome seems certainly cut off; and their tendency must therefore be in the direction of Protestantism. But even their present conservatism adds to the moral force of their testimony. It is indeed true that some of the Tridentine Decrees, when pushed to their legitimate conclusions, were not compatible with the free exercise of state rights. But they could be and were accepted by states, "with a reservation of royal prerogatives." The refusal, then, of these Old Catholics to accept the new Decrees shows how palpable must be their incompatibility with civil liberty. They leave no room for reservation on the part of those who acknowledge them. They admit of nothing short of total surrender.

Before the promulgation of the Decrees there was a place in the Romish Church for a Döllinger and a Hyacinthe, as well as for a Manning and a Senestry; but this is so no longer. No more dare Romish catechisms stigmatize Papal Infallibility as "a Protestant invention." No more can Irish priests, with any show of reason or honesty, solemnly swear that "papal authority is limited by councils, and does not extend to civil affairs." For now all councils have been virtually superseded; and at least two Irish priests, Shanaghan and Maden, have had the candor and courage to leave their church's pale, "because modern Romanism is but another name for universal kingship."

There is no evading the fact that the recent obligatory decrees have materially altered the defined attitude of Rome, both to the church and to the world.

We have sufficiently seen how Rome's last startling development was received by the church. Let us next consider how it was viewed, especially in Germany, in its relations to the state.

We remark at the outset, and could easily prove it did time and space permit, that Germany, including Prussia, has all along been extremely lenient and even favorable towards Roman Catholicism. Prussia has sometimes set an example of tolerance concerning Rome to Catholic Bavaria itself. The Hohenzollerns have always given the utmost freedom of conscience to individual citizens, while vigorously repellent of ecclesiastical encroachment on the civil sphere through church societies or otherwise. They have reasonably required such societies to teach, along with reverence to the Divine Being, "obedience to the laws and fidelity to the state." But it has happened before now that, as in 1837, the policy of favor and forbearance has had to be departed from, in the imprisonment of contumacious archbishops who insisted on slighting the government and ignoring the laws.

The German revolution of 1848 afforded Rome an opportunity which she did not fail to embrace. Taking advantage of the conflict of parties, she allied herself with that which seemed likely to prevail; and, in return for her support of "the solidarity of conservative interests," she secured at once the ratification of former concessions and the bestowal of fresh favors. A special Roman Catholic supervisor, only nominally subject to the Minister of Public Worship, was appointed, and the Papists were left to manage things very much in their own way—a liberty which they terribly abused. In the words of Bismarck, "there was peace, but it was purchased by the uninterrupted compliance of the state." This ignoble truce could not always last. It continued, however, till the first German Parliament, when the long-smouldering conflict broke out afresh. Scarce had the Franco-Prussian cannon ceased to reverberate, when the Ultramontanes sounded the war-note of this new struggle, by moving for the restoration of the pope. A negative was given by the vast majority of the imperial representa-

tives; and from that day to this the din of conflict has never ceased within the empire.

German unity unquestionably means the weakening of popery. But it is too dearly bought and sacred a thing to be lightly surrendered. Döllinger was right when he wrote of Papal Infallibility: "I cannot hide from myself the fact that if this doctrine, through which the old German Empire went to wreck, should become dominant among the Catholic portion of the German nation, it would forthwith plant the germ of an incurable disease in the new empire also, which has just been reared." But this is the very doctrine that Papists have been zealously inculcating, in the schools and through the confessional. It has not, moreover, been a mere question of abstract principles. Bismarck would no doubt have long continued to wink at these, and have allowed opinions to be counteracted by opinions; for he had plenty to occupy his energies, without unnecessarily challenging Rome. But when the latter began openly to condemn the principles on which the state is founded, and boldly to overawe civil judges and voters by an illegitimate application of her influence, actions demanded counter-actions, patriotism and common-sense demanded interference. A church favored and supported by the state could not be permitted to use that support and favor as an instrument against the hand that fed her. Indulgence was no longer safe or possible. The Papacy had to be curbed, if German unity was to be saved. The fault of Germany lies not in the severity of her present legislation, but in having ever extended a helping hand to Antichrist: like Æsop's countryman, she is now suffering from the venom of the adder she herself has nourished. An American naturally asks, Why not, then, disestablish and disendow at once? But things move more slowly in the Old World than in the New; and though this may be the ultimate solution, it will so materially affect the interests of the evangelical church, involving a radical reconstruction, *de haut en bas*, of the whole ecclesiastical system of the country, that Old-World conservatism naturally shrinks from it as a last resort.

Let us now examine briefly the recent ecclesiastical legislation of Germany, and specially the notorious Falck laws, so much maligned in certain quarters. The denunciations hurled

at these by angry Romanists may easily be explained, and the strictures passed on them by well-meaning Protestants often spring from a real ignorance of their scope and purpose. We may not be prepared to defend the laws in every particular, or desirous of seeing them applied at home, but we do assert that, in the main, they are based on sound principles, while any apparent infringement on real rights and liberties is to be attributed not to the design of the legislators, but to the exigencies of the situation.

The conditions of settlement under the Peace of Westphalia, whereby the two established churches received certain privileges on the understanding that the *jus cavendi et reformandi* inhered in the state, were all disturbed by Rome in 1870. And to meet the new state of things, Germany, and especially Prussia, had to accommodate her legislation.

One of the first acts of government, in opposition to the clerical party of the Centre, which now, under the name of the Party of Destruction, formed the rallying-point of all the disaffected members of the House, was the abolition of the special Catholic Department of Public Worship. Its suppression was felt to be necessary, since it had been turned into a very nest of sedition. Soon the strife grew hotter. The clergy hurled anathemas from the pulpits, defied government and law, and consigned recreant members of their flocks to "purgatory here and hell hereafter." The civil power now plainly saw that decided steps would have to be taken to check such treasonable and virulent temerity.

Before the meeting of the Council, Prince Hohenlohe, of Bavaria, had endeavored to enter a decisive protest against it; and it is an interesting fact, that when the legislative struggle began in earnest, it was this small but vigorous Popish kingdom that took the lead, by moving the law of December, 1871, which made it a penal offence for a clergyman to favor or incite riot or sedition. The clergy were to be regarded as privileged officials; but as government could not afford to establish and endow sedition by a law, it set a limit to their privileges to this extent, that "any of their number, who animadverted on affairs of state *in such a way as to endanger the public peace*, should be

liable to imprisonment in a jail or fortress for a period not exceeding two years' duration."

Another act of the German Empire followed, about six months after, when, on the 4th of July, 1872, it was decreed, that "the order of the Society of Jesus, and those of a like constitution affiliated with it, be excluded from German territory." This law, imperatively demanded by a due regard to the well-being and even the life of the empire, was extremely moderate in its details. While requiring foreign Jesuits to leave the country within a reasonable time, it permitted natives to remain, conditionally, in a private capacity, and granted six months for the disbanding of their establishments.

The character and design of these arch plotters are too well known to require much comment in the way of excusing their expulsion. The Jesuits have all along been enemies to Germany; and as early as the sixteenth century they did her irreparable injury in the South, by throwing themselves forward to thwart the progress of the Reformation, through pulpit, press, school, and confessional. Their political influence in Europe has been immense; and so illemployed was it last century, that, in 1773, Pope Clement XIV. (Ganganelli) had to suppress the order, extirpating and abolishing, "forever and to all eternity," its offices, houses, and institutions. The Jesuits have been expelled no fewer than seventy times by different European governments, including those of bigoted Popish countries like Austria and Portugal. The "eternity" of their extirpation lasted only till 1814, when the Order was re-established; but Bismarck, with so many precedents, and specially that of a virtuous and infallible pope, can hardly be blamed for carrying out the views of the Old Catholics, and his own, by taking summary measures with political religionists whose marvellous assiduity, discipline, and adaptability rendered their propagandism dangerous in the last degree. He did no more than his duty when he cleared his own house of such noxious vermin; but Englishmen have little cause to thank him for the shoals of Jesuits who have landed on their shores, and with a rare presumption, in face of existing laws, have set up their lodges at the very gates of Windsor.

Prussia, meanwhile, had to make certain ecclesiastical en-

actments for herself. In May, 1870, she prepared the way, by rendering more explicit some articles of her constitution, only with the view of preventing the church from turning her liberty of appointment against the state. The most important additional clause was the supplement to Article 18: "And further, the law regulates the power of the state, with respect to the preparatory training, the institution, and the deposition of clergymen or religious officers, and fixes the limits of church discipline." We need not go into the proof that nothing was here added to the spirit of the original enactment. This measure was merely a piece of defensive explicitness; and it seems undeniable, on *German principles*, and in view of past historic arrangements, that, as a penetrating writer on this subject remarks, "the state which gave the *legal* right of independence can also determine when that right is legally exercised."

On March 12th, 1872, Prussia took a further important step, this time towards emancipating her schools from Ultramontane inoculation and control. A law was passed, by which the teachers were secularized, and made direct servants of the state: "The supervision of all public and private educational institutions belongs exclusively to the state, and so does the appointment of local and county inspectors."

The educational system of Germany is, of course, on a very different footing from that of America; but surely, if government pays for its schools, it has the right of securing, if it can, that nothing be taught there contrary to the principles of sound loyalty and virtuous citizenship. The passing of this law stirred up the renowned Archbishop Ledochowski to that outrageous course of conduct which issued in his easy "martyrdom" at the hands of "the modern Diocletian and his bloodthirsty Minister." His example was followed by other church dignitaries, till, under pressure from Rome, nearly all the German bishops were on the alert, fomenting the social animosities of their subordinates, and excommunicating all who would not accept and teach the Infallibility dogma.

Such proceedings brought the Prussian Government once more to the front, this time with the famous (or, according to others, infamous) Falck laws, of which so much more is heard than is generally understood. On April 5th, 1873, the Minister

of Public Worship, Dr. Falck, who had long been known in Germany as a distinguished jurist, obtained for his name a historic celebrity, by bringing forward his great budget of ecclesiastical laws. These proceed on the principle that, while all churches have a right to full exercise of their spiritual and ecclesiastical functions until they become dangerous to the public weal, the state is not only entitled, but bound to defend the realm from the political machinations of an enemy, which is not the less dangerous that it wears a hood instead of a helmet, and wields the anathema in place of the needle-gun.

A preliminary measure, guaranteeing to every religious society the enjoyment of independent jurisdiction and vested privileges, "under the legally appointed supervision of the state," was followed by the *First Falck Law*, which applies only to the privileged churches, and, so far from being coercive, is all on the side of liberty. Its main provisions are:¹

"Legal withdrawal from a church, shall be effected by the declaration of the person so withdrawing before the judge of his district. He is then discharged from the taxes of his former congregation, and is likewise discharged, at the end of the following year, from the obligations of membership, it being understood that the registration has been at once communicated to the minister of the congregation."

The aim of this law is to secure greater freedom of dissent, which before was a thing almost unknown in Prussia. Not only was the dissenter subject to church taxes imposed by government, but he was liable to local church levies of a harassing kind, merely because he happened to reside in a particular district.

The Second Falck Law, which limits ecclesiastical penalty and discipline (Straf- und Zucht-Mittel), is also designed to protect the liberty of the subject. Its provisions, which are as reasonable as they were necessary, run shortly thus:

"Ecclesiastical discipline is restricted to the domain of religion, and to the withholding of church rights. Punishment directed against the person, property, freedom, or reputation of the citizen is not allowed. And no discipline

¹ The entire text, along with much information on the subject, will be found in a compilation entitled "Ultramontaniam, or England's Sympathy with Germany." See also, for a full technical discussion of the laws, a series of articles in Macmillan's and other British Magazines of the past few years.

is to be inflicted because a member has done what he was obliged to do by the laws of the State, or because he has exercised his right of voting as he pleased. And no threats are permitted whereby he may be influenced or intimidated in respect of these two kinds of action. Further, the infliction of penalties is not to be published, or followed out in an insulting manner. Those who break this law shall be punished by fine, and in aggravated cases by imprisonment for two years."

This law secures liberty of conscience to the laity in the exercise of civil duties, and provides for that freedom of opinion which is the necessary air of a healthy state. It does not interfere with spiritual censures within the church, but protects the person, property, freedom, and good name of the citizen from civil wrongs inflicted under ecclesiastical prettexts. It does not allow the menace of eternal damnation to be flaunted over independent voters at the poll by their zealous priests; nor does it encourage the promulgation of the terrible *excommunicatio major* against state teachers who refuse to inculcate Papal Infallibility; nor does it permit those who have been joined by civil marriage to be publicly banned, and treated "as if they were lepers." For governments are responsible for the external welfare of their subjects, and may justly consider that Romanism has no more right to maim the political and social prerogatives of citizens, than Thuggism would have to step in and maim their bodies. The plea of "religion" avails nothing in either case, but only renders the proceeding all the more odious in the eyes of any conscientious government.

The Third Falck Law extends a like protection to the under clergy, whose personal and social rights were scandalously trampled on by the hierarchy. Its general scope is as follows:

"Ecclesiastical discipline over servants of the church can be exercised only by German ecclesiastical authorities, and inflicted only after a hearing of the accused by an orderly process. Fines, suspension, restraint of liberty (with the consent of the delinquent and for not more than three months), but not corporal punishment, may be inflicted; and every sentence which involves a fine of more than 20 thalers must be notified to the Ober-Präsident, with the grounds of the sentence. Penitentiaries must be open to state inspection.

"An appeal to the state magistracy lies open when any of these regulations have been contravened, or when the sentence violates either the laws of the state or common fundamental rights, or when, after preliminary suspension from office, further proceedings are unreasonably delayed.

"It is understood, however, that the ordinary remedies have first been tried without effect. Pending the appeal, execution may be suspended by the court, and the suspension enforced by a fine of 1000 thalers.

"Both parties are to be summoned, and allowed to state their case. The judicial court, in passing judgment, shall give grounds for the same, and has power to enforce its orders by fines of 1000 thalers, concerning which the ecclesiastical authorities have an ultimate court of appeal in the Royal Tribunal for Ecclesiastical Affairs.

"Church officers who so seriously violate the provisions of the state law that their continuing in office appears incompatible with the public order, may be dismissed at the instance of the state authorities. Every provision is made to carry out the trial in an orderly manner; but once the dismissal is decreed, church servants who undertake official duties as before are liable to a fine of 100 thalers, and afterwards to a fine of 1000 thalers.

"The Royal Tribunal for Ecclesiastical Affairs, which sits at Berlin, shall consist of eleven members, of whom the President and at least five others must be regularly appointed state judges. The decisions of this court shall be final, and are to be executed by the customary modes of administration."

The opening clause secures the clergy from capricious foreign control; and the closing one, by furnishing appeal to the royal tribunal, gives a guarantee for the administration of a better justice than that which is regulated by the impulses of an ecclesiastical tyranny. The provision for opening the monasteries might well be copied in some other countries: for if nothing evil goes on within, inspection need not be feared; whereas, if villany is practised, inspection is surely required. Something had certainly to be done in Germany to relieve from civil thralldom the unhappy minions of the hierarchical maxim, that "it remains absolutely at the discretion of the bishop and the consistory of themselves to investigate and punish legal offences." The *pænæ vindicatoriæ* of Rome's extensive penal code were often, as the name suggests, revengefully executed on unhappy offenders. But before submitting to corporal punishment, loss of benefice, or prospective refusal of Christian burial, the accused has now the right of appeal to the civil magistrate. And surely to this even Scottish Free Churchmen, with all their horror of law courts, could hardly object, seeing it is a question of personal property and personal immunity from suffering.

More relevant objection might be taken to the clause, that "church officers whose continuing in office appears incompatible

with public order may be dismissed at the instance of the state authorities." Such a provision could not be tolerated in America, where the state has nothing to do with either the appointment or support or demission of clergymen. But when a state official, who happens to be a church functionary, instead of inculcating the duty of leading a quiet and peaceable life in all godliness and honesty, stirs up and leads civil insurrection—who will say that he should be maintained in the exercise of his public functions?

It may, however, be argued, By all means let the state take away his benefice, but it cannot and ought not to depose him from office. This was Dr. Chalmers's powerful plea in Scotland. But it is not quite pertinent in Germany, where the status as well as the conduct of Popish functionaries is very different from that of the Scottish ministers before 1843. It is one of Rome's well-known doctrines, that a priest can never be deposed. The grace of orders, once conferred, can never be demitted or lost. An anathema is pronounced by the Council of Trent (Sess. 23, Canon 4) on those who presume to think otherwise. "Si quis dixerit eum qui sacerdos semel fuit, laicum rursus fieri posse, anathema sit." Hence, in removing seditious priests from office, government had further to remove them from the district altogether, because, like a wound-up clock, they could not desist from acting.

Clearly the rights of an office held subject to the laws of a country are *ipso facto* forfeited when the holder of it commits the criminal offence of defying law and trampling on state authority. We must never forget, moreover, that in Prussia the mass of the people, and of the clergy too, are quite content to submit to a good deal of Erastian control so long as they are in receipt of liberal endowments. That this law is tinged with Erastianism, we are not therefore prepared or required to deny; but so long as Rome clings to her endowments, originally accepted and still held on an Erastian basis, she cannot so gracefully urge that objection as if, like the Scottish Disruption fathers, she were to seek relief in relinquishing all her emoluments.

The *Fourth and Last Falck Law* is in some respects the most important, as well as the most distasteful to Rome. It concerns

the preparatory training and induction of clergymen, and is a most commendable as well as highly necessary measure, when we consider the state of things it was meant to rectify. Its provisions are briefly these :

“For a German to be invested with a clerical office, he must have passed the final examination of a German gymnasium, have completed a three years’ theological course at a German state university, and have passed a state examination in science. This examination is public, and turns solely on the point whether the candidate has the necessary scientific training—under which philosophy, history, and German literature are included. All church training institutions, like other seminaries, shall be open to state inspection, and their house regulations subject to revision. When these requirements are not complied with by any establishment, the state allowance may be withheld.”

The rest of the law which pertains to the future institution of the clergy ordains as follows :

“Ecclesiastical superiors must nominate to the Ober-Präsident every candidate whom they would appoint to an ecclesiastical office; and protest may be made against the appointment on three grounds : (1) If the candidate be deficient in regard to the legal requirements ; (2) if he be condemned or on trial for a crime or delinquency which comes under the German penal code ; (3) if there be facts to show that he would work against the state laws or disturb the public peace. The decision of the Royal Tribunal is final. Further, every cure must be permanently filled within a year from the day of vacancy, under a penalty of 1000 thalers. And fines are also applicable to all who make or receive appointments contrary to the foregoing regulations.”

This law was designed to counteract the pernicious influence of the Popish *pensions* and diocesan seminaries scattered through the land, where the Roman Catholic youth were shut off from all healthy national influences, and where their mental and moral culture was first poisoned and then stunted. It seeks to provide that those who are to be the recipients of state bounty shall become as worthy incumbents of state offices as a sound liberal education can make them. By insisting on university instruction for priests, as well as ministers, this law tends to remove, if not the hostile spirit, at least the deplorable deficiency and one-sidedness of Popish education. There is no infringement of conscience in the case, since the students have the choice of any professor in any of the Roman Catholic faculties in the state universities ; and it is to be noted, that the final state ex-

amination is concerned, not with the student's special fitness for holy orders, but merely with his proficiency in general culture.

The second part of the law has an Erastian appearance, and is rather elastic in certain of its provisions, notably in the clause which speaks of vetoing the appointment of one "concerning whom there are facts to show that he would work against the state laws, and disturb the public peace." But, after all, if there are *facts to show* that this would happen, the state, in anticipating the evil, is only acting on the approved principle, that "prevention is better than cure." The ordinary appointment of ministers should certainly not be in the hands of the magistracy, and need not be so even in the case of an established church. In the view of many Protestants, Dr. Schaff goes too far when he affirms unreservedly that "self-government is conditioned by self-support," and that "state support *implies* state control" ("Creeds of Christendom," i. 134). It is quite possible that in a properly constituted state church (such as the evangelical party in Scotland aimed at in 1843) there need be little interference on the part of the state with clerical appointments. But then the Roman Catholic Church can never be "a properly constituted state church;" and, especially under recent conditions in Germany, the state must take some cognizance of the kind of men that are put in office. When an endowed church has the right of appointment, it seems hardly less reasonable for the state which pays to reserve the right of vetoing really dangerous appointments, than for the Scottish Kirk, for instance, to have claimed, on her side, the prerogative of vetoing unsatisfactory appointments when the right of nomination resided in the state. Moreover, Rome's denunciation of this veto claim as "impious and satanic" in Prussia is hardly consistent, if, as is alleged, she not only gave it the former sanction of her consent in Prussia, but still admits a larger claim, even that of nomination, in Catholic Bavaria.

The concluding provision, that "every cure be permanently filled within a year from the date of vacancy," is meant to deliver the under clergy from the mean rapacity of their hierarchical superiors. The Old Catholics at München strongly protested against "the arbitrary removal of secular priests, a prac-

tice introduced through the French code, and latterly imposed everywhere," because "it defrauded the clergy of their just rights, contravened canon law, and did an injustice to the Roman Catholic laity, by setting over them an inferior class of spiritual advisers" (in the shape of temporary incumbents, willing to accept the merest pittance of a salary, while the bishops appropriated the rest). For the first and last of these reasons, the Prussian state deemed it right to protect its own subjects, which in this instance it was fortunately able to do, by securing the observance of Rome's own infallible code.

Such, then, are the Falck Laws, whose general design and fundamental principle are unimpeachable, though the application of some of the details may have at least the appearance of asperity. Even the brief consideration we have been able to give them has elicited the fact that on the whole they are purely defensive measures. Their tendency is to freedom, rather than coercion. The first protects dissenters from unreasonable pecuniary claims; the second defends Roman Catholic laity from mutilation of their civil rights; the third delivers the under clergy from the capricious application of Rome's virulent penal code; and the fourth guards Roman Catholic youth from the noxious influence of a defective mediæval education, and frees them, when they become under clergy, from the injustice of rapacious hierarchs.

We shall not presume on the reader's indulgence by a detailed examination of the subsequent legislation, which has been similar in spirit and aim to the specimens already cited.

On May 13th, 1874, the Reichstag showed the general sympathy of the empire with Prussia by passing a law for the treatment of rebellious religious functionaries, who, disregarding the legal forfeiture of their office, persisted in acting as though they continued to enjoy their incumbencies. It provided that such might be "ordered to leave or take up residence in certain localities, or even be deprived of the rights of citizenship, and expelled the German Empire." A further law was passed, about a week later (May 20th), providing for the administration of vacant bishoprics. It required "that those appointed be ready to swear fealty to the monarch, and obedience to the laws of the state;" and attached the penalty of imprisonment,

not exceeding two years in duration, to the disregard of this proviso. In a supplementary law of the following day (May 21st), providing for the filling up of vacant offices, "by the patron, *or, failing him, by the assembled congregation*," we find glimpses of popular election, the universal adoption of which might relieve Germany of some of her troubles.

These "May Laws," as they are usually called, have been the prominent occasion of recent agitation among the Romanists. Seeming, as they often do, to infringe on the personal rights of individual clerics, they afford an excellent text for those inflammatory popular harangues in which Windthorst, of Meppen, and other leading Ultramontanes are such consummate adepts. Great meetings, demanding their repeal, were held so recently as November, 1877, in the Rhine Province; and petitions, numerous signed by Romanists, and countersigned by eighteen members of Parliament, were addressed to the emperor, who, to the chagrin of the suppliants, handed them over to Minister Falck. In the subsequent Parliamentary debate, the Ultramontanes heaped accusations of injustice on that "cruel minister," whose removal they strongly desiderated. Dr. Falck calmly rebutted their charges of wrongous appointment, showing that the one non-Catholic teacher who had been inadvertently nominated had been afterwards removed, and that the qualifications of proposed teachers for Catholic schools had been studiously submitted to Catholic authorities, except in the western dioceses, where the want of bishops had created a difficulty. He ended by boldly retorting on the Ultramontanes the charge of enkindling fanaticism and maligning the government.

Dr. Petri, an Old Catholic member, addressed salutary truth to the agitators when he said: "Gentlemen, shall I remind you of the encyclicals and breves, in which our laws have been pronounced invalid and our constitution a delusion? Shall I quote the famous correspondence between the pope and the emperor? Shall I mention the declaration of one of your own leaders at Malines, who said outright that Ultramontanism knows no fatherland but Rome? Is it at the present juncture that you ask us to give full scope to such a system as this, when a great and intelligent nation is exposed by it to the most ter-

rible of all conflicts—a civil war? (Loud cheers and uproar.) Can you deny that May 16th, which has shaken France to her foundations, was the work of the Vatican?" (Continued uproar.)

These spirited words are, we think, a sufficient justification of the decision to retain the obnoxious laws in force under existing circumstances.

The only other measure we venture to specify is what is called the Prussian Marriage Law of January, 1875. It was carried by 207 votes against 72, and is of a most comprehensive character. Besides enacting that a civil contract is indispensable to a legal marriage, and affirming that the marriage of priests or nuns is valid in the eye of the law, it provides that baptism be left to the option of parents, and that the graveyards be thrown open to all for the performance of decent burial. Thus a larger liberty is given to Popish citizens, by guarding for them the cradle and the grave.

Rome takes her stand at the head of every avenue to influence over mankind. With respect to *marriage* she says: "You must have the consent and sacraments of the church, or your marriage is no better than concubinage." With respect to *baptism* she avers: "Baptism is necessary to salvation; and all baptized persons belong to the pope in some way or other." With respect to *burial* she declares: "None that are beyond the church's pale have any right to a decent interment." Prussia, therefore, like Italy, confronts Rome in all her three findings, and demands the emancipation of society.

Ever since the passing of this measure, the strife has grown in bitterness. The late pope did what he could to intensify it, by issuing encyclicals condemning and declaring void the ecclesiastical laws of Germany, and excommunicating all the clergy who submit to them. This action, loudly applauded by the Ultramontanes, only confirmed the necessity for a continuance of the past vigorous action of the government.

And where is all this to end? Neither of the combatants is apparently disposed to yield a single hair-breadth. The new pope, it is hoped, may manifest more than the last a "sweet reasonableness," in not pushing his claims to their full rigor in a young empire which has much of its consolidation

yet to achieve. If not, the undoubted issue will be another and perhaps a general war, whenever France is strong enough and foolish enough to espouse by arms the cause of the Papal See. This she would probably undertake soon enough, could she succeed in divorcing Italy from her "unholy alliance" with Bismarck. But a united Italy sees it to be for her welfare to cultivate the friendship of a united Germany; and in his own country the Prince of Blood and Iron is still popular enough to carry things his own way, in spite of Polish and Hanoverian particularism, and the most strenuous efforts of balked Ultramontanists.

• It must never be forgotten, however, that Rome's temporal *power* was probably not diminished, but rather extended, by the loss of the miserable Italian temporal *sovereignty*, which is often ignorantly confounded with it. She can now claim to be more "eminently spiritual" than ever. She is vigorously pushing her interests in every direction, sapping constitutions and fomenting the jealousies of states. She is aiming at a Royalist restoration in France, and dazzling the malcontents of Ireland by the prospect of thereby rescuing them from the jaws of "perfidious Albion." She is seeking, in insulting defiance of the Treaty of Union, to establish her hierarchy even in the country of John Knox, that she may there further her propagandism, and at least place Scotch Romanists under canon law—governing them as a community within a community, directly from Rome, in all matters pertaining to marriage, burial, vows, prison discipline, mortmain, and the like.

In view of all this, the greatest vigilance is required. Rome's crooked policy has always been a thorn in the side of states; and never has it been more dangerous than it is to-day. Popery, it must be distinctly remembered, is a political system, grafted on and now overshadowing the religion known as Roman Catholicism. That system culminated in the promulgation of the Vatican Decrees, which, in the now historic words of Mr. Gladstone, require the Romanist "to surrender his mental and moral freedom, and to place his loyalty and civil duty at the mercy of another." Nowhere have their applications been naturally so disastrously felt as in Germany, to the subversion of whose hardly achieved unity they have been basely

and persistently directed. When the government there, granting the utmost spiritual freedom in matters of belief and worship, takes repressive measures against this political encroachment by a great foreign system, it is adding insult to injury for the exponents of that system to raise the cry of "persecution." As well might the invader or the poacher ask for sympathy. The past indulgence shown by Germany may have been ill advised, but it aggravates the mean and ungrateful malice of present papal conduct.

This struggle is not about religion, but concerns civil supremacy. It is irrelevant to apply here the much-abused text, "Obey God rather than man," which, as Bismarck says, "certainly does not mean that more obedience is to be shown to a pope, misguided by Jesuits, than to a king." There is here no room for exercising the sacred right of insurrection. This might be so, were Ultramontane claims and those of the Free Kirk of Scotland, as Dr. Manning chooses to assert, substantially the same. But facts belie the pleasing paradox. The Scotch Church claimed before the Disruption only the right to *obey* the jurisdiction of Christ in matters spiritual; Popery aspires to *administer* his universal temporal sway.

In conclusion, note that Rome began the struggle; that the new German laws were evoked by herself, and in some cases have the sanction of her former consent; that they are, on the whole, defensive or preventive measures merely; and that, where they are apparently severe, they are defensible on the ground of patriotic administrative necessity, and will doubtless be relaxed, when a due regard for safety admits of such a course.

Meanwhile it is vain for the Westminster cardinal to argue, with his accustomed plausibility, that "Prince von Bismarck creates resistance by persecution, and then pleads that resistance to justify the persecution that called up that resistance." This is a well-turned sentence, but purely assertive. It would be much nearer the truth to say: The hierarchy, by resistance to lawful authority, creates what it calls "persecution," and then pleads that persecution to justify the resistance which has called it forth.

Toleration, in the American sense, is at present a simple

impossibility for Germany. She cannot allow the keys to usurp the place of the sceptre. Her motto, with respect to the Ultramontanes, must therefore continue, for a time at least, to be—

“Grant them the rights of men ; and while they cease
To vex the peace of others, grant them peace ;
But trusting bigots—whose false zeal has made
Treachery their duty—thou art self-betrayed !”

CHARLES A. SALMOND.

EVOLUTION FROM MECHANICAL FORCE.

HUMAN KNOWLEDGE is, in some way, an interpretation of human experience, and only as we attain a correct evolution of experience can we fairly test or safely trust the science assumed to have been acquired. There is no occasion for prejudice against evolution, nor need there be any scruple in an application of the term to one's own or another's mode of thinking, since all thought will develop itself in some mode of accounting for what has been experienced; it may be from a view of but one side, or it may look quite through to that which, beyond experience, has determined how the experience should be, and the measure of the development will quite surely control the method. We shall thus have different grades of evolution, and even if the partial were correct as far as it goes, and inspiring much confidence while incompetent to recognize its deficiencies, yet must it be quite unsafe for teacher and disciple, and both alike will need to be led to higher and clearer points of observation. Each should come to think and know for himself; hence each should seek this elevation, and only the higher intelligence can say what the lower does know and what he does not know. It is the clearest mind only which may be allowed to testify with an authority not to be questioned. With adequate capacity and honest application, it may perhaps become competent to secure a common conviction in an ultimate test of all science by the one sufficient and sure philosophy.

The grades of evolution will be determined in the psychology adopted; nor can any grade be elevated in mode or measure but by completing the psychology and thereby correcting

the logic. Nature is to us what we know of it, and different processes of thinking lead to quite diverse modifications of comprehension ; and also, with common native endowment, some will cultivate and use one intellectual faculty with no recognition and application of another, in which way there must be consequent delusion and contradiction. Earnest controversy must then beat each back to the point where he may stand within the common right of all. Not very seldom is it, that the soonest and surest way to bring the faulty to true conviction is found in forcing the false theorist to take upon himself the restrictions of his own doctrine.

It is here proposed, by as short and plain a method as is practicable, to present the distinctive gradations of evolutionary theories which can, either partially or completely, have their development from human experience. There are three distinct modes of evolution possible to be intelligibly so presented as clearly to be inclusive of all that can be ; the first and second respectively taking the two sides of experience, and the third comprehensively combining the former two in one, making from them all that need be. The first is from a psychology regulating experience by the impressions its objects make upon the organs of sense, and is distinctively *evolution from mechanical force*. The second is from a psychology regulating its experience by the mental activity of the subject, and is distinguished as *evolution from spontaneous thought*. The third is by a psychology which regulates experience from its substantial grounds and causal sources, and thereby intrinsically connects object and subject together, and is exclusively *evolution from "sufficient reason."* The first is essentially gross *materialism* ; the second is pure *idealism* ; and the third is *universal realism* of both matter and mind. The occasion makes no call for appropriating the respective theories to any responsible names, since we take them to be, each in its way, essentially an origination from experience itself, and that together they are exhaustive of all experience ; yet doubtless, to all ordinarily informed readers, these responsible names will have ready recognition proportioned to their eminence and authority.

With the theory of evolution from mechanical force, the successful researches in modern physical science have been somewhat largely connected, and popular interest has thereby been awakened in its speculations. The way, also, in which it has been brought to bear upon the higher questions in philosophy and religion, and the sharp controversies as well as learned discussions that have been induced, have all conspired to quicken public attention, and some anxious solicitude in reference to ultimate results, more extensively toward this than any other formally advanced scheme of development. This adds but a factitious importance to it, while in itself it is the least and lowest of the three. Its general statement may be given in the following short compass: *The universe, so far as yet within human experience, has been continuously evolved, through past eras of indefinite duration, from a primitive but inscrutable absolute force.*

1. *The Psychology Applied.*—The key to all coming explanation is to be found in a few psychological facts which are made to be regulative and determinate for this grade of evolution. We withdraw attention from all not essential to an interpretation of the process.

All the special senses have each their respective expansion of muscular tissue, to receive the impress which may be made upon it. That for the touch takes its impress *directly* and all the others *indirectly*, and thus the organ of touch is the basis and ultimate test for all the other senses, since they transfer their impressions to the place of impress for the touch. All impress upon the muscular tension in touch is met by the muscular pressure upon it, and in the contact there is consequent co-resistance, and thus necessarily the correlatives of impress and repress, with every sensation of touch, must stand revealed in consciousness. The impress is both impervious to, and spreads over, the repressing muscular tissue; and hence the object in consciousness is at once *impenetrable* and *extended*. So also, in its way, there is impress and repress in every sense-organ, and thus all perception of sound, color, savor, and flavor must be correlative, as well as the tangible perceptions. *All perception is relative.*

The peculiarity of the evolution of force is, that it notes the objective impress, and almost altogether disregards the muscular pressure. The impress gives its distinctive solidities and definite superficies, and thus fills its occupied place; and the entire body in larger or smaller place is made up of contiguous points of contact, each of which may have its co-resistance on every side, in every direction; and thus bodies are distinct and definite not only, but are molecular compounds, with each elementary atom external to all others and independent in its own place, and as separately identical, the logical law of the excluded middle is universal. All contiguous bodies may be noted in any direction and then in its reverse, and are thus consciously in *place*; all successive series can be noted in but one way irreversibly, and are so consciously in *period*. All conscious fact is fair for science, and all beyond consciousness is nescience, and *consciousness is ultimate test for all science*.

What has been in conscious experience may be retained in memory, tradition, history, fossil, and geologic preservation, and again recalled as literally *re-semblances* of experience; and so taken in conscious reflection they become conscious empirical thought, and may be subjected to analysis, abstraction, and generalized classification through all categories in exact science. The ordinary habitual adjustments of the senses, and assisted scientific observation and experiment, may legitimately be employed in attaining the invariable order of experience, and therein also the law of evolution. Patient induction of the invariable past is taken as pledge of like order for the coming experience, and scientific law is grounded in the fact of conscious correlative order in all changes. It is deduced from what has been experienced, and can never be presumed as the prior determiner of experience. Thus all thought must be of *the relative*; and evolution must have its *prior*, but consciousness cannot grasp an absolute *prius*.

Muscular tension induces locomotion, and habitual adjustment finds the order of antecedents and consequents in moving bodies, and calls the invariable order in experience *law of motion*, but only as *fact* of order, and not as precedent *efficient* for it. The muscular pressure and objective impress may be known

as *force*, and their equilibrations and preponderances may be empirically estimated, but the energy which urges the pressure and impress is an inscrutable secret to the consciousness. Like the bell, the tissue is stricken before the internal vibration, and consciousness gets only the swell and strain of the muscle, not its originating causal efficient. *Inductive science has its basis beyond itself.*

2. *The meaning of mechanical evolution.*—Its elements are separate and single, and can come together only in aggregation, with no possibility of conception that one comes out of another; hence the difficulty of any intelligible signification to the term evolution, as applied merely to collocations and successions. The process is but a composition of parts that in themselves never change. There is, however, a method and order by which they come within conscious experience, and also varied comminglings and proportional compoundings, which make perpetual transformations, and continual conversions of old into new bodies; and the fact of such conversions with its general order is known as the *law of evolution*. It is on this account that its law is solely an answer to *what*, and not at all to *why*, is evolution? It has no causal efficient, but only uniform sequence, and has the following representation:

Progress implies aggregate movement toward an end; it may be toward happiness or toward ruin, but the whole approaches some goal. Evolution differs in this, that it is continual transformation of parts, and all advance of the aggregate is in and through this perpetual conversion of the constituent portions. The structural outcome is from the particular transmutations, beginning in similar singles, and gathering them in augmenting unlikenesses, and then converting the unlikenesses to greater consistency, and the whole to more complete integrity. It is one and the same fact ever transpiring in human experience, "in the development of the earth, in the development of life upon its surface, in the development of society, of government, of manufactures, of commerce, of language, literature, science, art," and according to the materials wrought out may be distinguished as "astronomic, geologic, organic, ethnologic, social, economic, artistic evolution;" in all working with the invariable

regularity of universal experience. Consciousness itself is psychologically an evolution, and experience develops itself in conformity. The primitive co-resistances are similar in their respective organs, grow more unlike, and the reflective process thinks them into definite conceptions, complete judgments, and comprehensive conclusions. So also an organic germ, under constant inspection, evolves from original simplicity to growing dissimilarity, the differentiations augmenting with the maturing embryo, and passing through gradations of more complicated contexture, attain at length the integration of a complete organism. In the opening stages evolution is ever from like to unlike ; the unlikenesses more and more complex.

This opening stage has been deemed too little discriminated from dissolution. Decay commences by converting assimilated parts to dissimilar states, and the differentiations become broader and more complex between the sound and unsound portions of the structure. But if little different at the opening, the advanced stages are widely dissimilar. Dissolution goes on to complete separation, while evolution works its first distinctions into more compact parts, and these into more symmetrical structure. Hence the formulated definition of evolution is given as "*a change from indefinite inherent homogeneity to definite coherent heterogeneity.*"

We here remark that the fact as conscious order is noted, with no glance toward the executive efficiency. The distinctions of evolution and dissolution are also misleading. In themselves they are the converse of each other, one undoing what the other has done ; yet are they not exclusive each of the other. They both belong to experience, and are a development in experience, and each needs and subserves the other ; the disintegrations become subsequent elements for evolution. All experience of life and death is an evolution, and the transformations of the future must come from those that have passed. The universal solutions are the sustenance of the vegetable, and these in turn of the animal. And consummated evolution will have converted into itself both the dead and living.

3. *Causes of Evolution.*—This search for the causes of evolution is an analysis of the essential elements to attain the ground-fact of them all, in the most comprehensive form in

which it underlies and interprets all the others. It is not attempting to find an efficient cause, but a prime antecedent to the evolving process. The inquiry is, "May we seek some all-pervading principle which underlies this all-pervading process?" and the hopeful issue is the possibility of interpreting the law of evolution as the consequent of this "deeper law beyond which we may nevertheless be unable to go."

The analysis is as follows: Both dissolution and evolution result from *changes*, but distinctive for evolution is the fact that its changes are of the *internal* ultimate units and masses of units composing it, viz., *matter*, as the essential ingredient; *motion*, in the parts arranged; and *force*, in the production of the movement. The problem is thoroughly *dynamical* and purely *physical*. An application to these elements of the terms *phenomenon*, *appearance*, is alleged to be delusively misleading, as if the facts were only phantoms, and the recommendation is to substitute for them the term *effect*, carrying along with it its correlative *cause*; but it is evident there is thus opened a wider door to more dangerous liabilities on the other side. Such substitute, together with the true meaning of the term *real*, it is expected will obviate all danger of falling into empty idealism.

The significance of *reality* is held to be equivalent to *persistence in consciousness*, the persistence being of the co-resistances, whereby there will be perpetuated the correlations in which conscious realities consist; just as we discriminate between an *ideal* and a *real* man, where we dismiss the former from mind at pleasure, while the real man abides in consciousness persistently, despite our opposing inclination, when standing obvious to the organ. Also, when the organic tension is suspended and the perceived object vanishes, and unavoidably we have the notion that somewhat still abides amid all change of appearing and disappearing forms, the fact that then it is the *persistent* in the notion which makes its absolute reality, gives the clear implication that persistency is ever our ultimate test of reality. And then comes the notable argument, from this last hypothesis, for the justification that this unavoidable notion, persistent as absolute reality, may be logically used as if it were a relative; and which is to this purport: Reality, as we think it, being no more than persistence in consciousness, the result to us must be

the same, whether what we perceive be the Unconditioned itself or an effect wrought in us by the Unconditioned. "Were the Unconditioned itself present to thought, it could but be persistent; and if instead of it there be present its persistent effect, the resulting consciousness of reality must be exactly the same;" and from which follow these three conclusions, viz.: 1st. "That we have an indefinite consciousness of an absolute reality transcending relations, which is produced by the absolute persistence in us of something which survives all changes of relations." 2d. "That we have a definite consciousness of relative reality, which unceasingly persists in us under one or other of its forms, and under each form so long as the conditions of presentation are fulfilled; and that the relative reality, being thus continuously persistent in us, is as real to us as would be the absolute reality, could it be immediately known." 3d. "That thought being possible only under relations, the relative reality can be conceived as such only in connection with an absolute reality; and the connection between the two being absolutely persistent in our consciousness, is real in the same sense as the terms it uses are real." From this it is assumed that "we may resume, with entire confidence, the realistic conceptions which philosophy at first sight seemed to dissipate."

This is their way of saying what is *reality*, and which we now critically examine, and show wherein it is deceptive. It is important, and may not be difficult, to expose both a defect and a delusion covered in the first deduced conclusion, as above; and when the illicit deposit has been fairly noted, we shall find ourselves at liberty to dispense with any further critical examination of the other two conclusions, since they will have been deprived of all show of logical consistency. The *delusion* is from the assumption that "absolute reality" can stand in an "indefinite consciousness;" and the *defect* is, that "the something absolutely persistent in us" can, in this psychology, find no "sufficient reason." A familiar psychological example may serve to guide our conception.

An apple in hand may stand as representative for our perception of universal relative realities. A muscular grasp will at once give in consciousness distinct impenetrability and definite extension, from the co-resistance of the tension and repression.

And also, further than the touch : indirectly through air, light, effluvia, and sapid solution, the other sense-organs will have their respective co-resistances, which will transfer themselves to the place of the touch, and there and then, in place and period, will be together grouped the *relative realities* capable of belonging to the object in experience. Anon, that object, in some manner, becomes lost to every sense, and clean gone from consciousness, and haply may be eaten or chemically resolved into its primitive elements. Yet unavoidably the notion arises, that some way the existence of that apple is still persistent, no matter what the change ; and such notion in us is of its *absolute reality*. Whence that notion ? It cannot at all be from consciousness, definite or indefinite. Whatever consciousness has had might be left in memory, and called up in reflective thought ; but if all were there in full recollection, the whole would be of the relative persistent, and not at all of the persistent absolute. That is unavoidably present in some other way than by sense-observation or any reflective deduction from past experience. It is not independent of experience ; but by an insight into conscious experience itself, there is the forecast to somewhat that was requisite *prior* to the experience, or that experience could not have been. This prior requisite would have been the same in the presence of the conscious relative when every sense was quick and active in observing ; the sharper insight than the sense-perception would see in and through the relative realities what, precedent to them, had been a sufficient reason for them, and in the absence of which their existence would have been impossible ; and to that insight this same notion of the absolutely persistent would have been equally inevitable. Not only is it not deductive ; it is not any more arbitrarily presumptive, or an imaginary presupposing, but the legitimate and inalienable right of a humanly endowed being to demand a prior adequate cause for aught that consciously is. This is in quite another capacity, and opens an occasion for quite another faculty to work than that of inductive or deductive thought, both of which, in following conscious observation, are one and the same thing. The absolute cannot be in nor of consciousness, but is that which is antecedently requisite for consciousness ; consciousness is conditioned by the absolute, not the absolute by

consciousness, either definite or indefinite. When this larger capacity, taking into itself all that sense receives and reflective thought demonstrates, and comprehending all their working, shall have been generally distinctively recognized, the delusion that absolute reality can be known in consciousness, and the psychological defect that there is no other capacity for the absolute but consciousness, will be no more.

In such recognition also will pass away all need of criticising the self-contradictory suppositions of the above second and third conclusions, of "a relative reality as real as an absolute reality would be could it be immediately known"—and that the relativity of thought may necessitate the relativity of the absolute itself. We shall find both the delusion and defect frequently occurring in this analytical search for an evolutionary starting-point, by cursorily noting which, as we pass, we shall get better acquainted with, and familiarized to, this higher faculty for apprehending absolute efficient causes.

We come back again to the analysis—the elements, in common, of *space and time*. When one presses the hand upon some substance, the co-resistance of hand and substance gives conscious object in place, and also as perduring in period. By abstracting, in thought, the co-resisting contact, the void place and period of the object remain, which leaves pure space and time in consciousness. They are the pure forms of the co-resistance, viz., that of *co-existence* with no pressure for space, and that of perduring *sequence* for time; and so space and time are abstractions, relatives of realities, and persistent in consciousness as place and period only, whether larger or smaller; and inasmuch as they are the forms of the co-resisting contact of hand and substance, they are the consequents of the pressure, *i.e.*, of conscious *force*.

And here, we remark, comes up again the delusive defect of the adopted psychology as follows: Space and time, which are but place and period, may in thought be so enlarged or diminished that they shall indefinitely only stand in consciousness, viz., one portion in consciousness, while so increasing or lessening in thought that another portion gets beyond conscious recognition; and yet in each case of enlarging or diminishing they unavoidably give the notion of their absolute persistence still,

and thus we have absolute space and time persistent in an indefinite consciousness; and then comes the inquiry, What are they? Does the relative space and time come from some form of absolute space and time? The answer is, "These are unanswerable questions." We can only know that relative space and time are persistent realities, and imply absolute realities equally persistent for us; and so the relatives may unhesitatingly be our basis for valid scientific demonstrations. The notion is, that the absolute is persistent, but persistent *as* absolute, or non-relative, only as it passes out, larger or smaller, beyond conscious conception. Surely, we say, this is a most defective, delusive, self-contradictory notion; and yet the only one that a psychology ultimating in consciousness can give. On the other hand, the higher capacity, reaching an adequate reason, takes the relative, both of function and execution, into its comprehension, and at once sees in them that their relative places and periods could not be, but as an absolute space and time before them was; that the relatives are *in* and not *of* the absolutes; and that both the absolute space and time are concrete, and not abstract, wholly integrate and indissoluble, and can no more have limitation or mutability than the relative can have existence without limit and change.

In regard to the element of *matter*: the analysis finds that it is resistance to muscular pressure, and brought within consciousness by the contact and pressure of the organic muscle. Essentially in consciousness, it is the several points touched by the muscle, and thus the body of matter is a compound that may be augmented by additions or reduced by subtractions indefinitely. Its necessary conception, from its standing in consciousness, is atomistic or corpuscular; the smallest element and the largest aggregate have peripheral limit and internal molecular continuity. As the consequent of pressure and repression, matter in consciousness is based upon *force*.

Here, then, as with place and period occupied by it, there comes up the delusive defect in the psychology before considered. The atoms may be too small or the aggregates too large to be consciously conceived, and thus we have relative realities persisting in consciousness; and also persistent absolutes either way, below or above consciousness, and therefore

in an "indefinite consciousness." All the absurdities of absolutes in an indefinite consciousness occur, and which cannot be thought as connected causation, nor as standing on any sufficient reason. The conception cannot be made self-consistent, except as brought within the recognition of the higher capacity that comprehends consciousness, and sees its prerequisite conditions.

The analysis of the element of *motion* is last. It involves *matter* moving, co-existence in *place*, and sequence in the *period* of moving; and thus includes matter, space, and time in its conception. The primary conscious motion is in the muscular tension and consequent locomotion of the member, or perhaps of the entire body. This conscious muscular tension and accompanying locomotion, and the reference of it to the body, or other bodies, at rest, give both the fact and the measure of the motion in experience; and the conscious muscular motions are symbols of material motion without conscious tension; and thus matter, space, and time must combine in all movement, and therefore all motion must come from their common source, which we have before found to be that of *force*. But matter at rest is found to resist moving, and matter moving is found to resist rest. How then may resting matter move, or moving matter rest? Must not the law of continuance necessitate a progress through the intermediate degrees, and thus require infinite space and time for any motion or cessation of motion? And so comes out again here the unavoidable notion of an absolute, and its deceptive ground for scientific demonstration, with the like necessity for an absolute, which may move without itself moving. But all this must come up a little further on more significantly, and will be answered more conclusively.

We have here come to the consummation of the analytical process in tracing up the elements of evolution to their root in consciousness, and found this to be a *Universal Force*; and so far as the analysis has been kept within the conscious relatives, it has been a logical procedure, and the attained result has reliable validity. The elemental facts have been all along opening to the unavoidable notion of a persistent absolute, and when for scientific use that notion of the absolute has been interpreted on the side of an indefinite consciousness, we have found its

invariable delusive defect introducing self-contradictory conceptions; yet these do not vitiate what the consciousness has given, and the relative thought has consciously abstracted or deduced. But we are immediately coming to a point where an introduction of the inevitable notion of the persistent absolute is deemed to be a necessity, and we may be sure in this case to encounter actual, and not merely hypothetical, absurdities. There comes the necessity for a close discrimination between the conscious co-resistances, since we must take either the muscular pressure or the objective repress, one and not both, as the prime Universal Force. We proceed onward to it.

Evolution is a rearrangement of parts, and these parts must neither come from nor go to nothing, else the evolution may be required to find a beginning or come to an end. The force, as matter, must be indestructible and the movement incessant, and to secure such convictions we shall be driven to transcend consciousness. The question is one of *quantity*, and implies *measure*; and in determining the measure we shall be driven beyond the conscious universal force now attained in co-resistance to a simple resistant, as quite out of the reach of all consciousness, in the following way:

With the modern inventions for instrumentally sharpening the senses, matter and motion may empirically be measured with quite proximate exactness. By the ratios of gravity and motion, a *unit of measure*, as weight, may be found for determining the conservation of matter; and, on the other hand, a *unit of measure*, as lineal extension, may be found for determining the continuance of motion; but neither one is attainable except by the other. Given the one, and we attain the conservation of matter; given the other, we attain the continuance of motion; but empirically we have no way out of the vicious circle. The units of measure must accord in *units of force* and these must be of constant continuance. In *persistence of force* is to be found the *basis* for all inductive science; and of course this cannot be laid by science, which would be getting a second before a first. "Clearly, then, the persistence of force is an ultimate truth, of which no inductive proof is possible."

What is this force of which persistence is predicated? "It is not the force we are immediately conscious of in our muscu-

lar efforts, for this does not persist." "We are compelled to admit that force, as it exists out of our consciousness, is not force as we know it." "Asserting the persistence of force is but another mode of asserting an unconditioned reality without beginning or end." "It is deeper than demonstration; deeper than definite cognition; deep as the very nature of mind." This answers to the "*What* is the force?" But we are sure we ought more earnestly to inquire, *Whence* is it? If it had been the muscular pressure, it might somewhat plausibly have been supposed that we could consciously go back from the muscular contraction, through the nerve-irritation, to the spontaneous energy that originates all that follows: but it is the opposing resistance to this; and how then, even plausibly, are we to get down deeper than the conscious impenetrable extension, and know that primal energy which makes the impervious expansion? In this only is the true sufficient reason, the efficient causation, not at all solved by the getting of the primal empirical antecedent. And it is no pertinent answer to say it is "that absolute force of which we are indefinitely conscious," nor "that consciousness without *contents* is impossible;" for here is a force directly asserted to be "out of our consciousness," and which cannot be any "*content* of consciousness," since consciousness can recognize no content but a relative.

We here remark, the sole satisfactory explication of all this delusion in the attempted use of a persistent absolute is, that having been early and long habituated to outward observation, the outer and not the muscular pressure has been taken as the ruling element for the sense, and determining its objects; and then, when the analysis of matter has carried its atomic parts quite out of conscious observation, the higher faculty with which humanity is endowed has prompted the unavoidable notion of an absolute still persisting beyond conscious atomic existence, and which is here termed the Universal Force. But this faculty of reason, which alone could suggest it, is altogether unacknowledged in the psychology, and cannot be recognized as working in its own light; and so the whole is remanded to some modified sort of consciousness, which neither in perception nor thought can work with any thing other than its own relative realities. From this standpoint in the consciousness the abso-

lute is meaningless, and might as well be called *Fate* as *Force*. The force in consciousness is but just one impenetrable atom preceding or succeeding another in an invariable order, while in the reason the force is that deeper energy which makes the atom impenetrable, and moves it intelligibly within the determining rule of an adequate causality. Let reason work its own problem, and it can use simple energies to limit themselves as the two sides of one thing, and thus combine in unity as an atom to which they have given their joint efficiency, and which can thus be thought as working intrinsically and extrinsically according to its native constituency; but the atom in consciousness can neither stand alone, nor work alone on another, and can never be an antecedent without another before it, nor an ultimate without another beyond it. Both reason and consciousness must have the like empirical elements, but they cannot work alike upon them. Consciousness must abstract and deduce, while reason by oversight and insight must see in these elements what beforehand was requisite for their being as they are.

The psychology, for the evolution we now investigate, cannot so discriminate between the absolute and relative, for its absolutes in order to be thought must be modified as relatives. Hence its Absolute Force, so soon as taken into use, becomes entirely a relative. It is persistent, but only as correlative and equivalent; has balanced and unbalanced antagonisms, attractive forces moving in lines of greatest traction, and repulsive forces moving in lines of least resistance, and both in composition moving in resultants which are the compounds of all the forces, just in accordance with the relative realities in conscious experience, and known only in experience. The primitive force is taken in mass in its simplest elements: and yet the atomic elements gravitate; have centripetal motion; condense in more definite concomitance; induce heat, light, electricity, and chemical combination; with transitions, and revolutions: just as invariable observation has ever found in consciousness, and with nothing intrinsic in the force to so guide the thought, and only as reflection has found the facts to be from past experiment. And so, also, there occur rhythmic movements, or oscillations to and fro, direct and lateral, with double, triple, even quadruple complexities, the ratios between which may

differ in time from a day and night to millions of years ; but all determined from past conscious experience, by computing from what has been to what will be. So, also, there are assumed perpetual conversions and transformations ; yet are all the converted elements but new compounds of old atoms, ever impentrate, and whose identity never changes. These conversions carry the forces into and through all modes of being, material, organic, appetitive, intellectual, and moral ; yet are the distinctions in all only modified compositions of the same atoms. The force is no intelligible efficient, determining the effects, and so directing the thought in its evolution ; but the thought must come back from it to conscious experience, and there learn how it has gone.

This, then, is the conclusion to which an exhaustive analysis has come, viz., a persistent Absolute Force underlying all relative forces, but which conscious thought cannot interpret and use directly in its process of evolution, and can go only to what has transpired in experience and find there what the invariable order has been, and take that for the satisfactory exposition of what it ever will be. "To this an ultimate analysis brings us down ; and from this a *rational* synthesis must build up." We emphasize in this quotation the word "*rational*," inasmuch as it may seem to promise what is by no means fulfilled. The truly rational way is, to subject the facts in experience to the insight of reason, to know what was requisite in this force that this order of fact should invariably have been thus ; and only as the characteristics of the force have been so attained can the synthesis determined therefrom be properly termed rational. But the cause is not at all studied in its effects, and the absolute is not read in what it has done, and is only known as persistent with utterly unknowable characteristics ; and what only we can use as cause and law is the invariable grouping or succeeding in the facts of experience. It is but a conscious relative synthesis, not at all a rational synthesis, which may be clearly seen in the Absolute Causality, as essentially that from whence the relatives have come.

4. *A Discrimination of Misleading Ambiguities.*—Inasmuch as this substitution of the conscious for the rational will in various ways be henceforward continually occurring, doubtless the surest

and soonest way to a full and fair appreciation of this grade of evolution will be, to just here make a clear discrimination of the two, under several of the more prominent terms made common to both, and thus keep them full and ready in mind for application when the occasions may demand. We will put them as tersely as we can, and yet give them plainly.

Universal.—The highest signification is, the total of all possible being, and thus is *absolute* universality. Then lower is, the total of all actual being, which is universality *in fact*, and may have the further qualifications of past, present, and future. Then lower still, we may take consciousness in its two relations of co-resistance by the muscular pressure or by the objective repression, and if the former only is taken as making up the conscious realities, the universal will be in *subjective thought*; while if the latter is taken as constituent of consciousness, the universal will be of the *objective existences*; and this last is the universal in the evolution of mechanical forces. It excludes by ignoring all ultimate truths in reason, and all relatives in consciousness but those of matter, motion, and their places and periods.

Substance.—The broadest meaning is, the support that stands under universal being, and as such is the *absolute ground* of all existence; and in particularity it is *ground for each individual* existence; and in both cases the knowledge of the substance is of the reason only. In consciousness, the groups of relatives, invariably similar in their collocation, unavoidably induce the notion of a whole, as holding altogether; and such notion of totality holding the parts together is known as the *body*, or substance of the object. It is because the human sense is illumined by the endowment of reason that it acquires such semblance of an underlying substance, where otherwise there would be in consciousness an aggregation of particulars only; and the mechanical evolution takes such consciously assumed body as atomistic, and with each atom in itself impenetrable and extended, and that all change comes by varied composition in place or period. Its chemical combinations are necessarily external agglutination and not internal concretion.

Cause.—In the highest meaning, it is the energy that works all change and holds in order all succession, and is *absolute*

cause ; while in particulars it works the changes and connects them in orderly successions in each individual, and is thus *particular source* of the series ; and in each case it is the attainment of reason only. In the lower sphere of consciousness, the relative realities are perceived and thought in irreversible successions, and the human mind, prompted by its natively endowed reason, deems the order of succession unavoidable ; but with no recognition of reason as a distinctive faculty, the whole series in consciousness is used as resting only in its empirical order, with no higher authority for its validity than that thus it has ever occurred. The former, a rational cause, is the sure basis for science, and yet a basis it would be absurd to suppose that science itself could inductively establish, since it must first stand on this to establish any thing. The latter, or relative cause, is known only in its time relations, and though deemed certain in its order, there is no recognized ground for the conviction that it might not as well have been otherwise. All efficiency is lost sight of in the want of rational acknowledgment ; and this last sort of causation is that alone which the evolution here considered can apply.

Law.—This has also the like equivocal significations. In its rational import, it has ever a constraining executive in what is before the insight of reason only. Such constraint bears directly upon the end of fulfilment, either as coercion or as penalty. But in a lower sense, the law is just the invariable order that has been found in consciousness. It has already been executed, but in what way, or for what reason, there is no inquiry ; for no importance belongs to it. It has ever been thus ; it is deemed sure that it will ever be thus ; and this steadfast order is law, with no regard to the spirit of its execution. The Absolute Force has been cause, as direct antecedent of all relative development ; but there is no opportunity to know of any design, intent, or ultimate end to be attained, and the fact of order stands itself as the only known law of order the consciousness can communicate. And the bare fact that evolution everywhere goes from the indefinite homogeneity to the definite heterogeneity is the law of the evolution, and there can be no interpretation of its executive character in its essential energy and end, save only that its relative realities of impenetrability

and extension are universal and unalterable, and the order of their movement irreversible.

Beginning.—In its largest acceptation, this signifies the primitive fiat of the Absolute Reason, inclusive of both the outgoing energy and its stand-fast as an overt existence, to each of which, as distinguished in thought, the term “beginning” in its largest meaning is applicable. The same acceptation, in its restricted sphere, is true of any origination of the finite reason, which is as truly a beginning as the primitive fiat of the absolute, and its fixed expression in some old material is as validly a new form in existence as is the absolute product. The genius of reason, absolute or finite, is ever originally creative, and makes a literal beginning. A less significance is held by the term when applied to an arbitrary or a casual taking of any point in an empirical succession, and making from it the starting of a process. And this admits of a beginning in two distinct senses, as when we take the point in a progressive mental process, like abstract counting; or in an ongoing objective series, like the clicking telegraph: the former, beginning from the mental number, a spontaneous thought-process; the latter, beginning from the one click, a conscious objective experience. Of this last meaning only is the use of the term in the evolution of mechanical force. The material movement is taken as without beginning or ending, and some arbitrary instant is assumed for the evolving movement to start.

Evolution.—This term is applicable to our whole theme of investigation in its distinctive varieties; and we here note, that our stand-point must be in experience, yet that this experience is not, and cannot be, that of the absolute in its evolving energy, but that only of conscious recipients of the exhibition, and as studying the development of the manifestation by the measure of intelligence which we have the capability of applying to it. It is a human knowledge of the absolute development which we seek and hope to gain; and in our Introduction it has been already said, that all theories of evolution necessarily and exclusively find each its respective source in the mode of psychologically ordering the process for perceiving, thinking, and knowing, and which we have assumed will admit of three, and only three, divisions. We here discriminate them in

the essential significance of each, that we may exclude mistakes quite liable to occur from the confusion and perplexity incident to their ambiguity.

The *first*, and fullest of meaning, takes all of conscious sensation and reflection, on both the sides of mental activity and objective impression, into the comprehensive contemplation of the reason, and by forecasting from them what antecedently to them was clearly necessary for them to be as experience has found them, the source and order of their evolution is rationally and convincingly expounded. The *second* is inferior and of weaker significance, taking that side of the consciousness only which is active in sense-cognition, and carrying the thinking process completely out, in the internal and external development of all that belongs to self-conscious empirical thought, to its universal totality. We design subsequently to give full and fair investigation to both these theories in their reverse order of consideration. The *third*, and lowest, is the theory now in hand, which takes only the objective side of sensation, passing by not only the insight of reason, but also the spontaneous relative reaction of sense against the impressions made by incoming forces; and so controlling all observation and reflection solely by the essential elements of matter and motion, as they are given in the extended and impenetrable atoms by which all body and being in human experience are compounded and characterized. The matter is essentially in distinct and definite atoms, hard and inert in themselves, and each having its own respective place and period and movement, and acting its own part in the modification of the body it helps to constitute. Motion, also, is a conception almost as separate from the matter as are the atoms each from each. The atom and the motion have their place and time together, but the movement has its distinctive relations, characteristics, and consequences; and its modes of operation are as varied one with another as with the atoms. One mode of motion is the precursor of heat, another of sound, etc.; and the conversion of one mode into another in the same atom is at once an introduction of a new series of antecedents and consequents. All change is, in fact, the consequent upon the place and period of the atom, and the mode of its motion; and this mode of motion is also not merely

the sign and measure, but the bearer and the executor of the atomic force.

When, then, we think out our process of evolution, we must do it through the media of atoms and motions, which are to be the connective antecedents and consequents all along the development. Where we can step on these as present relative realities, or as transferred from earlier invariable experiences to other realities which can be relative to them in impressions only upon one or two senses, the standing is considered firm, and the process valid. One thing comes out of another when traced through those media, and the rule for the induction is, to make the connections very carefully, and after close observation; and yet we shall find the case to be, that the media are frequently so faint, so few, so thin, that we are often obliged to walk upon scientific imaginings, and in very many cases of seeming evolution can find nothing to confirm such conviction.

5. *Some Points through which this Grade of Evolution cannot pass.*—We now know just what this evolution is, and what relative realities it needs for its outcome, and may thus in thought take a regressus over past experience, and find if there must have been some impassable chasms. We now run back the empirical course in discovery. The Absolute Force is persistent, with no beginning nor end; but the evolution for our experience must begin at some point of its causality, beyond which we cannot reach by any regressus. We pass up, in analytic thought, to the naked, separate atoms in their inertia. What preceded is as nothing for our evolving thought. It may have been a precedent dissolving or disintegrating process, bringing the atoms to their state of individualization, and so up in cycling alternation of dissolution and evolution interminably; but our earliest possible stand is among the single, hard atoms in mass, as a nebula of disintegrated matter in its inertia. Each particle of this primitive dust has its extension, its impenetrability, its gravity, its inertia; yet is it the rest of exact equilibration: and here our evolving process must start to bring the first event out in empirical manifestation. Clearly, from the experience carried back, that prime event must be a movement; and yet no conscious motion of inert matter has ever occurred in all human experience. Unless we can go back of the

moveless atoms, and get the persistent absolute to lift up and let fall some one atom in its gravity, our evolution is as motionless as the inert mass about us. There must be some outside help for *the beginning*.

Even if so released from this bondage of universal stagnation by such outside help, we can follow up our evolution but a little way: this falling atom will strike and collide with others, in its centripetal course determined by the reciprocity of each in gravitating toward all others, and thus awake an expansive heat-force to just its own amount of gravitating motion, and which must make an oscillating rhythm to and fro, through all the mass, in the ratio of motion to the mass, but which can evolve no more nor other movement at any returning swing. We must wait again for any further evolution till the outside absolute give the oscillating movement a revolving turn, and then all, from centre to periphery, may be in rotating motion, in just the direction and to just the rate the absolute has determined for us; when exactly according to the law of evolution, so given, we may readily, in thought, pass along down the changes from indefinite similarity to definite variety, through the breaking-up and rearranging evolutions, till systems and worlds and geologic and geographic forms are brought out in their integrity. Evolution may in this way pass through cohesion, chemical combination, and crystalline formation; but all as molecular collocation only.

And then we come to *a chasm before entering the vegetable kingdom*. Plant-life differs from mere mechanism in that it diffuses itself through the organic structure, and makes the parts indivisible, and thereby the whole becomes an *individual*. Each part needs the whole, and the whole needs the parts; and the life-energy filling in this want binds all parts by common sympathy into the one individual. A fractured crystal has its want of integrity only as felt in us, but a wilting plant makes its want to be felt by us as within itself, and obliges us to feel sympathetic toward it. The plant has, and keeps, the mechanical forces in all its parts; but, superinduced upon the force, there has been an energy urging to the end of the want, and it is this spontaneous energizing which has possessed the force, and used it for its own interest and end, that has thereby

brought the forces in sympathetic and individual unity. So superinduced and working on and in its possessed force, the combined force and urgent want constitute that distinct existence unlike to any mechanical force, which alone can fill and guide the thought in following out any consistent evolution in living organisms.

Beyond this conviction of a spontaneous life-energy that unavoidably gets within experience from common observation, there is the further confirming of the conviction by scientific arrangement and microscopic investigation. By a prepared solution, the very point where the life-energy is at work may be brought under most minute and clear inspection. The life-cell, common to all forms of organic existence, is thus known as having in connection its precedent *nutriment*, and its consequent produced *tissue*, while all the moving action goes on in the *cell-fluid* only. Herein is perpetual movement, starting from diverse and varying points quite independently of each other, and passing through and over each other, with or against gravity, from which there comes out the completed tissue environing the cell, and continually dividing and augmenting. What was carbon, oxygen, hydrogen, and varying with nitrogen, in the nutriment, and which, in mechanical chemistry, could have only binary combinations, has here in the life-cell been wrought into tissue of ternary and quaternary combination. No mechanical chemistry has ever made living tissue; but the life may depart without a return, yet will the old constituent forces survive in the dead remnant. The nutriment and the tissue can be chemically analyzed, but the living cell can only be seen moving, since any subjection to analysis would leave only the dead product. The tissue lives in its constituted organism, successively exhaled and renewed. Thus from common and scientific observations come out the same unavoidable convictions, that matter has impulsive forces only, while living matter has and keeps the impulses, and yet, over and above them, has spontaneous energies urging the material forces out in its own interests and uses.

And here comes the dilemma for this grade of evolution. The facts constrain the conviction of a present energy overworking and ruling the forces, and hence not an evolution from

the forces. But evolution in consciousness has no recognition of an absolute, except when brought as a relative under the law of consciousness; and hence the evolving must cease, or pass on only in suppositions and scientific imaginations and presumptions. It takes this latter alternative, and finding the elements of the nutriment in solution facile for organic construction—having among them the extremes of cohesiveness and volatility—it presumes that some way may be found whereby the mechanical forces, in their action and reaction, may build up the organic structure. This has not yet appeared in any experience, and the fact is put, just as experience has attained it, as the definition of the reality, viz., that *life is the continual adjustment of the internal relations to their environment*; just as the candle-flame perpetuates its adjustment to its environment so long as the carbon and hydrogen in the tallow and the supplied oxygen from the air feed the combustion. Experience sees the relative realities in the flame, and trusts, in time to come, to find them in the living adjustment as well, and so presumptively holds the mechanical evolution to be going forward. No matter what might be found as ultimate fact, it could not give the adequate efficient, nor help the evolution over the chasm to the living energy which is alone the sufficient reason.

The still broader distinctions between force and *animal life* are yet further convincing. The control and use of force is here in a new realm, and within another and higher jurisdiction. It is not merely for the relief of want, but the gratification of sentient consciousness. The organism is to be constructed to the end of happiness, and the spontaneity which is instinctively to build it must be proportionally exalted. The structure must be fitted to its end, and then the nervous arrangement fitted into it, as the finishing work of the living agent; and as the organism is to be more complicated and nicely executed, so that which is to be accomplished in and by it must be above all mechanism and all plant utilities. There will be the special sense-organs and their varied perceptions; the retained representatives of the perceptions in memory, and the reflective thought to which they give occasion; the inner sentient sympathies, appetites, and accompanying desires and emotions attending sensation and thought; and all these consciously in

possession, abundantly manifesting that plant-life can neither construct nor use the animal organism, and so much the more preposterous must it be to suppose that material elementary atoms, by transposition and some supposed actions and reactions promiscuously among themselves, can work up this organism and agency, and yet the whole be truly nothing other than nicely and mysteriously driven machinery. The same mechanical forces, it is true, are in a living organism as in lifeless mechanism, and they remain in some form still when the life is taken from them ; but only while the life possesses them do the organic perceptions and remembrances remain in or come from them, and thus must it be that the living and not the lifeless should have the credit of them.

The dilemma is then more sharp-horned than before, and the necessity is the greater that the evolution which is to pass from the vegetable to the animal kingdom must find some more adequate efficiency and sufficient reason for its support and guidance than the supposition of some imagined relations which as yet no conscious experience has ever realized. The sunlight may be claimed as the source of all living activity and conscious thought and emotion, but only because of the mystery of its subtle agency ; for no scientific study of optical phenomena under physical laws has ever found any approach to a clearly thought-out process, how the rapid vibrations of light from the sun can have any other connection in the evolving of vital action than in the modification of the forces used, and not in any urgency on the prompting spontaneity. The living tissue for the organic sense is the product of the living activity, and the living agency constructing is also the sentient agent using ; and the perception and thought and emotion are the conscious possessions of this agent, and therefore the forces used in construction and execution can have only the rightful credit of having been fit and facile instruments in the result. To suppose otherwise is but the mistaking of distinctions in kind for mere distinctions in degree, and so far delusive and deceptive.

We shall have no occasion here to pass beyond life in the animal realm over the chasm between it and *human experience* ; for the psychology in mechanical evolution admits of

nothing different in kind for the human that is not also in the animal experience. But it is well, just here, to disclose an absurdity to which we have been brought by the delusive process of the evolution itself. In the analysis of the causes of evolution, we noted that the resistance on the side of muscular pressure was passed by, and that the objective resistance to this pressure was taken, and it has been this force "not in our consciousness," and admitted not to be "force as we know it," of which we have been all along watching the development. We now find it to have eventuated in animal life and sensation, and that verily the rejected, unlike, conscious force of muscular pressure has come back to us out of its opposite correlative. This spontaneous muscular tension in the sense-organs, and the antecedent in all locomotion, may then prove itself to be a true psychical force, quite distinct from all mechanical physics; at least, though illusively attained, it cannot be now claimed as like the mechanical persistent force which has, all along the evolving process, been physically disintegrating and rearranging the hard material atoms.

We further adduce the equally unsatisfactory process of this grade of evolution for organic *genesis and heredity*. Genesis is the multiplication of individual organisms, and heredity is their ancestral likeness. In lower organic types there are varied modes of propagation without sex-distinctions, but in higher organisms the genesis is through sex-relations. A germ-cell is fertilized by a sperm-cell, and the product is a new individual. This is repeated in each genesis, and with the perpetual tendency of like to beget like, yet with variations distinguishing each individual from all others. Peculiarities of ancestry, also, at times reappear after an intervening parentage of one or more generations, and which likenesses are known as cases of atavism. In vegetable genesis, the descent is by a bare seed or by fruit with the seed in it; and in animal generation the descent is either oviparous or viviparous, and in all cases the organic construction is in the one invariable process of a previously supplied nutriment, a living activity in the fluid cell, and a completed product in living tissue. All organic growth and preservation is only in this one way; the living spontaneity constructs from the lifeless nutriment the finished

living tissue, and the tissue is continually augmented in the persistent process, expanding and shaping into fibre that dies and is eliminated, and replaced by new products. This living action may be subjected to close microscopic observation in its phenomenal movement, and thereby known to differ in its facts from all empirical manifestation of mechanical forces, in that it works against them, overrules and controls them, and uses them beyond their own normal compositions and chemical combinations. The instinctive life-agency is the alone sufficient reason for an evolution of the facts belonging to genesis and heredity.

But the psychology of consciousness recognizes no such agency, and of course cannot get any of its connection and consistency of thought into its grade of evolution. The process is supposed, yet never verified, to be by a peculiar disintegration of the material elements and a rearrangement of them into new compounds. The more primitively original the operation, so much the more sublimated must be the units of force to accomplish it. Molecular motion, like the light vibration with its possible sequences, is supposed; and while no thought can trace it out, there is the presumption that the organic facts have followed from it, and the trust that some future induction may find the last fact which is to interpret all others. But even could that ultimate fact be found, it would still need an adequate support for it and all behind it. By itself, it could vindicate for its valid possession no intrinsic *what*, or *where*, or *when*, of its own that it might claim; and so what stability could there be to evolution that must come out from nescience?

In tracing the presentation of this theory of evolution, we now come, after some disparaging remarks of the hypothesis of a special creation, which are not pleasant reading to a theistic believer, to the consideration of its closing labor, in the application of what has been gained to the confirmation of mechanical evolution.

6. *The Evidences for Evolution*.—Modern physical science, with much diligence and success, has prosecuted its work in its own province of collecting and arranging the astronomic, geologic, and organic facts, which observation and experiment can discover in the primitive nebula, and down through all the

intervening events of the long Azoic, Protozoic, Palæozoic, Mesozoic, Neozoic eras, to our own post-tertiary period. All this enables us to take gratefully what they have gained and use it philosophically, with as much encouragement and authority as the physicist himself. Such use we propose afterwards to make, but our present task is to follow his philosophizing, and find what he is trying to teach us, by turning conscious relative realities to do the work of philosophic rational efficiencies. How evince that all inorganic and organic being has come from the inertia of his impenetrable molecules? We have traced his process of evolution; we now come to estimate his proofs.

(1) *From Classification.*—By the facts found it has also been found that former attempts to arrange them lineally, as on a string, are quite impracticable; and that they must some way represent themselves as group within group, from some originating point. To do this most effectually, demands the diagraphic form of a solid that, of course, cannot be used on the superficial page. The best practical way is thus taken to be the use of the form of a branching genealogical tree: classified inorganic facts taken as the ground, and the rising classified organic facts constituting the trunk and branches. Directly from the material ground springs the vegetable life, and but just above branches an equal stock as animal life, and each sends off its sub-kingdoms in their diminishing proportions of classes, orders, genera, and species. The two kingdoms have root in the same soil; the intertwined branches spread out their multiplying extremities to constitute a complete periphery; and all appear as an evolution from one source. And this is the more probable from the added evolutionary characteristics, that the oldest and broadest distinctions are essentially structural and natively peculiar; that the distinctions are variable, with general uniformity only and much particular variety; and that from this is the evidence that the older and more compact were once more indefinitely simple. But, though all is as if it were an evolution, and that it is easily supposable the molecular vibrations, and polarities, and rhythmic reactions of matter have exactly conspired among themselves in the introduction of just those regulated events, yet can no

thought accurately trace them to their determinate source. Classification at best indicates, but never demonstrates, an evolutionary process.

And the connected analogical illustration shows clearly, though all unwittingly, that there has been an instinctive prompting towards the true source. The Scandinavian races—Norwegian, Swede, Dane, German, Dutch, and Anglo-Saxon—slightly diverge; the Celtic Welshman, Irishman, and Scotch Highlander differentiate more widely among themselves, and in mass still more widely, from the Scandinavian mass; and the Latin nations are still an older and more unlike offshoot; and then the Eastern variety of the old stock is yet wider apart from its European kindred. And then, also, from the Aryan stock, as above, is a much older and broader distinction in the Mongolian stock; and again in the Nigritian. Thus ethnologically there is group within group of widening import, as we recede from the more modern distinctions, and which are indicative though not demonstrative of their evolution. On the other hand, it is said of language, that we know it to have arisen by evolution; and as it, and the nationalities using it, have the like evolutionary characteristics, the conclusion is, that the national differentiations are also evolutionary. But how know we that language has come in by evolution? The empirical evidences for the linguistic relations are no more direct or clear than for the ethnologic relations. The rational human endowment lies under all the linguistic facts and their differentiations, and we know this to be adequately efficient for the speech, and for all its variations according to circumstances; hence we know the linguistic evolution. We follow it out directly from its sufficient reason, and therein find the occasions for its origin and for all its older and its later changes. We go directly to its source and trace, in thought, the rational efficient, passing out and determining all the variations and connections of the human modes in linguistic communication. There is also, in all human genesis, an instinctive energy back of the human organism, which has modelled the body and its members according to its own spontaneous urgency; and by it all the families and nations of mankind have been born with organs of speech, and rational powers for

inventing language, and shaping its grammatical and idiomatic changes for its own best convenience. We may go direct to reason for the evolution of the nations themselves, as well as for the source of their speech.

(2) *From Embryology*.—Exact observation has found that in the genesis of organisms, passing out from vegetable reproductions, in animal life there is this general order of embryotic growth, viz., that the earlier stage of each distinctive type of completed organism is conformable in attributes and structural character to the early stage of all, and that later stages have their conformities with other organisms only in cases wherein their characteristics are inferior to its own full type, and so onwards dropping comparative conformities as its own full type runs out beyond others, till at length the highest organic type ceases from all conformity in its highest traits, and has only its lower attributes in common with any. Such embryologic order gives occasion for constructing a representative embryologic tree, as before in the facts of classification we had a genealogical tree. The first division would pass out of conformity with cell-life in plants, and begin in common animal conformity with muscular tissue and nerve irritability, and so failing in conformity where its attributes were superior, till at length some one species would stand unconformable in its highest type without a compeer, at least in degree, if not in kind. Such imaginary tree would be a strong index of universal evolution, as if all had grown in complete conical form with man at the apex, and he one with all, but as the crowning genesis.

But these embryonic gradations are not, in the facts, very sharply cut, having indefinite outlines, and at places showing broad gaps, and yet these incomplete conformities are alleged as confirmative of evolution, since environing hindrances should be expected to modify, and ancestral peculiarities sometimes largely to change, genetic construction. And even beyond this, substitutions and suppressions of some particular organic members occur, which is but in the manner of evolution itself, where new ways of life may get new members or lose old ones through interfering heredity. Embryology is thus strongly indicative of evolution, though no complete demonstration can be gained by conscious relative realities. The embryonic life

and growth are as if from one source, and molecular motion and subtle reaction are readily supposed competent to introduce the changes, and occasion the conformities or their deficiencies, though unable to furnish clear traces for the thought to follow the experience to the one primitive source.

An analogy is then given in illustration, as was before done in classification, wherein the example is taken as known evolution. A single worker makes and sells his own wares. He prospers, and employs others to work, and he only sells. Further prosperity makes his factory the channel for wider associative labor, and he has fixed employment for fixed workers, and in division of labor and laborers he gathers a large community of varied operatives. These become accustomed to the business, the communal regulations, and the social requisitions; and his growing success enables the manufacturer to start new establishments in other places, and open new enterprises in foreign lands at once, without the necessity for the slow process of the opening business. This last is manifestly an evolution, and its analogy to the embryotic accumulation may be taken in proof for its evolution.

But here we ask again, how know we the business enterprise to be evolution? We might study its empirical details and note its conscious relatives never so much, but this would never reveal the clear thought whence and how has come this prosperous establishment, till we could see in the conscious detailed operations the one organizing energy that originated and ordered them. And so, when we shall get the clear thought of embryotic evolution, it will never have come from any suppositions of molecular polarities or vibratory forces, nor by any direct or indirect empirical transformations, but only when in the embryotic facts we read clearly the presence of the spontaneous energy that was requisite to make and manage these facts in all their originations and graded superinductions. The evolution is not consciously relative, but necessarily thoroughly instinctive.

(3) *From Morphology.*—The completed structure of some entire classes of animal organisms is upon one general plan, in some cases more obscure, yet in all so manifest as to be very remarkable. The multiplied forms and varied habits of the

entire insect class have their construction in the different collections of twenty segments as their primary constituents. The *Crustacea* have also the like number of twenty segments, but in the higher orders their joined seams are often obscure. The same animal, again, has often great similarity of parts in its structure. Serpents have similar short vertebræ, giving flexibility to the entire body. Birds and mammals have the body inflexible, as a basis for their locomotive members, but yet a composition of many vertebrate portions, joined in firmness differently for their varied structures. In the embryotic growth the vertebral column is continuous at first, and then divided in segments, which join in their respective ways to constitute their structural support. Some have the segments proportionally distributed, as in the *Crustacea*; a larger number to form a complicated mouth, and then a less number used for feet and legs. So in plants, sepals, petals, and stamens in the flower are transformed leaves in a spire. Sometimes digits with complete phalanges, and then another with arrested growth of phalanges. Adult organisms not very infrequently have useless rudimentary organs which in other animals are useful; and sometimes there is the forecasting of a useful organ, needless here, but an index of a coming want in a higher order, as the teeth in some birds' beaks, or in the whale fœtus.

Surely such process according to plan, and such suppressions and anticipations, indicate evolution, development from some original; but they just as surely exclude this grade of evolution. How can mechanical movement indicate plan but just as fact found? And how is fact found, of so broad a law for evolution as to include all that passes from "indefinite homogeneity to definite heterogeneity," to guide the thought to any adequate source for expounding the use of the twenty segments in all insects and crustacea? or how expound the transformations, superpositions, and anticipations? There may be suppositions more or less plausible of the action and reaction of mechanical forces, but never an attainment of efficient causes. The only sufficient reason possible to be adduced is the rational insight of reason that there is at work a spontaneous agency. The *Spiritus intus alit*; the inworking energy which, back of the facts, is rationally known to be essential for

the facts—this only is the true and safe interpreter and sufficient reason. And in this all the evolving is satisfactorily convincing.

(4) *From Distribution*.—Organisms spread abroad, and perpetually tend to propagate themselves in new places and amid a changed environment, and are thus under continual liabilities to variation. The normal result would be an increasing adaptation of organism to environment from natural selection; but the fact as frequently found is, that within quite narrow geographical limits there are non-conforming organisms, and again at wide distances organisms nearly allied; but in the former case the obstacles to distribution are found to be great, and in the latter case facilities for it are open. These facts are assumed to preclude all notion of design, but are also at first view unfavorable for evolution, and the effort is rather to obviate objection than to supply evidence.

If all present existences have been evolved from primitive indefinite simplicity, it would seem most likely that the land and air have been supplied with their organisms from the water, which would require that a fish should have desired, or been forced, to leave his proper element, and walk on land or fly in air, and in long generations to have acquired conforming variations for either or both; but how should the fish subsist in the interval? This is thus explained: *Amphibia* have two modes of oxygenation, pulmonic and brachial, and use either with longer or shorter periods of change, and some animals live through a long drought on land that might also have as long survived under water. Constant opportunity for ready changes either way would, in due time, make the dwellers of the sea also inhabitants of the land or the air, and so constitute perpetual commerce between them, or as occasion guided, they took fixed abodes and perpetuated fixed habits in their generations; and so evolution, it is said, has had its open way, and alone fairly accounts for universal organic distributions in *space*.

Distribution in *time* has its peculiar obscurities. Geological records are very incomplete, and the fragmentary evidences difficult to gather; and the only safe conviction yet attained is, that a theory of progressive modifications must consist with indefinitely long periods, in which there was no progress. This

general fact is, however, put down as strongly encouraging evolution, viz., that the organisms of the last formed strata are nearly conformed to the present, and those in earlier strata have their proportionally less percentage in conformity; and so, on the whole, indicating descent of present life from past life. This holds true in large regions, so that over whole continents there has been a kinship between the fossil remains and the living animals and plants.

Evolution is thus made to account for the facts of distribution of organisms both in space and time, but it is quite easy to be clearly shown that it cannot be this stage of evolution now under consideration. It has no adequate executive, and as we have all along found, if we rely on this mechanical evolution from consciousness, it will supply nothing but suppositions and illusions. The treatment of this present evidence from distribution is a characteristic exhibition. Let us go back to the two media of land and water, and stand between them before the fish had been evolved, and what could the mechanical forces avail in evolving the *Amphibia*? They use the living spontaneity already given, to differentiate the life instinct from brachial to pulmonic construction, and can else avail nothing. Put the evolution with water and earth alone, to make their transformations to fish in water, bird in air, beast on land, or amphibia in either, and how shall mechanic forces put out instinctive life anywhere? Suppositions of heat, light, polarities, vibrations, working among material molecules, can never give consistent thought from material inertia to living spontaneity. Evolutionary law is mere fact of order; life is mere fact of adjustment of inner and outer; the executive is supposed without thought in both; of course, the evolution cannot evolve. It has nothing in; how then should events come out?

We here close our review of the systematic representation given of the mechanical theory of evolution. There is an important modification which is frequently taken as an adjunct to it, in the way of expounding the descent of Man, and which is given in its own distinctive process of evolution relative to the genetic reproduction of animal life. It is quite desirable here to notice it, but the space generously allotted us is so

nearly filled that we put what we have to say of it in the shortest possible compass.

The Evolution by Selection.—The evolution of the inorganic world is not touched, nor is its passage from the inorganic to the organic at all regarded, nor is the evolution of the vegetable kingdom made other than partially applicable ; but a very broad induction of facts is made from the animal kingdom, and made in its own peculiar way to bear upon the exposition of the genesis of man. Embryologic, morphologic, and physiologic facts, especially from among the vertebrata, have been sought out with great diligence and sharp observation. There is a distinct recognition of a living energy that overrules and uses matter in its mechanical forces, and this instinctive agency is made both evidential and causal for its peculiar mode of evolution. This life-instinct has its intrinsic energies in various secret structures that can be known only as they manifest themselves in the organisms successively generated, and which imperceptibly in any one generation, but in long eras, do grow out in higher forms and better habits of existence. The similarity of embryonic development between man and the lower animals, and innumerable rudimental points of structure and constitution perpetually reappearing in man from the lower classes, are made the alleged unmistakable grounds of evidence that man has been evolved from the lower orders of animal organization. The marks readily guide the imagination in tracing back man's descent ; which in his primitive humanity must have been from an ancestor that was a hairy quadruped, which naturalists would class with the quadrumana, and who with all the higher mammals was again a descendant from an ancient marsupial, and thence back in a long line of diverse forms to a reptile or amphibian, and this again from some fish-like animal. Since this human development, mankind have been so widely divided in races, that their extremes might be accounted distinct species ; yet their deeper constitutional attributes, which are in common to all, make it more appropriate to count man as of one species. In the animal line of descent one law is universally prevalent—that like begets like. There is also a converse law, clear in general but obscure in details, that each descendant shall have its variations and make all from

each distinguishable. The modifications are from outer environment, but more significantly from heredity and constitutional construction that evolves peculiarities in differentiations, which though under law are as yet inexplicable. Careful inductions from all these changes, under the steady law of descent, must interpret the rising process of evolution through all animal generation :

1. *By Sexual Selection.*—Wide observation of animal reproduction finds everywhere a fierce perpetual struggle, usually among the males, either to dispose of rivals on one hand, or to win the female's favor on the other ; and this struggle naturally eventuates in a selection of the most fit progenitors for begetting the best posterity. The strongest and bravest male will overcome his inferior rivals, and this superiority will win for his choice the best partner. The theory supposes that the conflict and struggle exciting the instinctive life energy has availed in giving the males, through long generations, their hardihood, strength, adornment, and armor offensive and defensive, and indeed almost all their secondary differentiations from the females ; but this consideration comes better to view hereafter.

We need here only notice the distinction of the application of the law of descent, between sex-selection and other methods of pairing the progenitors. Bird-fanciers, fish and cattle breeders, make selections and cross varieties, and sometimes pair nearly allied species and attain a hybrid genesis, in some instances securing an offspring quite conformed to a before designed pattern ; but none of these changes or meliorations of race and improvement of breed should be used in analogy with sex-selection. There is here the application of experience and skill, and artificially adapting and constraining sex-inclinations within the known law of descent ; and whatever may be the resulting changes, the tendency is at once to lapse toward old normal states when the pairing is again left to unchecked sex-selection.

2. *Natural Selection.*—The former division was natural, but with the nature of sex-relations ; this is inclusive of every urgency within the highest of all, and operates through the highest passion of self-preservation. The strong-sex-struggle leads directly to over-production of descendants, and so to scarcity of nutriment and other supplies essential to life, and thus a struggle

for life itself ensues; the natural issue is a selection that secures "the survival of the fittest;" viz., the most fitting stock for the best generation.

Doubtless natural selection will conserve such as have the strongest hold on life; will it get the best parentage for reproduction? Plato, in his Republic, saw that marriage should be regulated for the highest ends of posterity, but he put its regulation in reason as a philosophic state administration, and not in natural selection. May not self-preservation and the strong urgency for reproduction sometimes come in conflict? Where, then, will natural selection take the development? But such queries are less radical than the direct inquiry, Can natural selection, under the law of descent, change specific constitution, and elevate animal life through ascending gradations? Sex-selection assumes that all secondary sex-distinctions arise under its control, and that the male offensive armature of horn and tusk and spur, with all the adorning of plumage and song and goodly form, which render him the more attractive to the female, as well as superior in rival contests, arise under the constant urgency of sex-instincts. But at the highest, the action of sex-selection is partial, arising out of but one passion, and therefore the predominant interest of self-preservation must include and govern, on the whole, all animal appetites and desires; and thus the inquiry, Can natural selection change structural constitution? will cover the whole ground. The sentient soul, as the whole animal life, controlling mechanical force, but itself not endowed with rational spirit, is here contemplated as the agent in natural selection; and the inquiry is, Can this be an adequate efficient for evolving itself from stage to stage, through all grades of animal organization?

This might require a long answer. To be sufficiently conclusive, it must have a longer discussion than we can here give; but quite a short statement can put the point in such light that a satisfactory reply must be much longer for its affirmation than will be necessary for its refutation. Embryonic growth is through stages, step by step diminishing the class of embryos it resembles, till the class of similar forms narrows to the species of which it is a member; and thus all embryos run over their past specific changes in getting up to the full integrity of the

ancestral species. This is taken by the evolution of natural selection as an unmistakable evidence of continual specific ascent, though demanding for it long eras. In another point of light it will seem at least as unmistakable evidence for repeated superinduction and not of inter-continuance. For, so far as observation reaches, embryonic growth finds its integrity within the ancestral species, and never runs out into another. The specific type is in the instinctive life, and comes to its completeness in having passed its specific stages, and never transcends the ancestral species. The ancestry below has its embryo growths cease below, and that above has its embryo growths run on above; the mid-ancestry has its embryonic growths mature midway. What possible stronger inferential evidence that all are lifted step by step in some form of superinduction, and that each holds only what has been given? No matter what may be the modification of physiologic function, there is found no genealogic change of morphologic structure.

But may not natural selection take advantage of favorable occasional variations? On this is, doubtless, the main dependence; for the common admission is, that the law of descent limits elevation beyond the sum of excellency in both parents. To demand more would violate the law of like from like. This is, then, just as we argue; there must, from somewhere, come superinduction. From whence? that shall suffice to change specific constitution. From below, through any heredity? Certainly no lower ancestry can change higher structures, if he cannot change his own. Shall it be from some higher animal species? But how, when all were low, could any become high? It surely seems that no adequate efficiency to lift the whole can come of the whole, either at once or by instalments. From this standpoint we may be constrained to say, help can come only from One "wonderful in counsel, and excellent in working."

We truly have use here of a higher causality for evolution than force, but animal life will not very readily evolve itself from fish to quadruped, and through quadrumana up to man.

We stand back, then, on the only systematically elaborated theory of physical evolution, and, in conclusion, feel warranted to say, that the profound researches of modern physical science are to be gratefully welcomed; but that, confessedly, "the

basis of inductive science is not within itself;" and when it takes a philosophy of conscious experience to expound its foundation, it at once finds itself in the midst of contradictions and absurdities. With it, all mind is matter; and the universe is a machine with neither maker nor manager. It excludes all immutable morality, and allows to man no rights that any are bound to respect. It is reasonable to reject the philosophy, and still further reasonable to pity the philosopher. The pious physicist can safely rest his faith on the Bible, but the Bible can get no help from his philosophy.

LAURENS P. HICKOK.

CONTEMPORARY PHILOSOPHY: MIND AND BRAIN.

IN the last number of this REVIEW I stated that philosophy is at this present time running strongly in two directions: one towards historical and critical discussions, and the other towards the physiology of the brain and nerves. Having pointed out the defects of an exclusively historical method, which may take us away from the observation of the operations of the human mind, I am now to follow the other and far more powerful stream, and inquire whither it is conducting our young men.

Physiological psychology is at present collecting around it a keen feeling of interest in Germany and in England. In the former we have Lotze, Wundt, and a host of others, physicians and metaphysicians. In England we have Carpenter and Bain, Maudsley and Ferrier, making observations and experiments; and Spencer constructing his bold but premature generalizations. The real fruit gathered is not yet a sufficient payment of the labor expended. Rash hypotheses have been formed by one man, to be taken down by his neighbor. A strong determination has been shown by not a few to account for all mental action by brain action. But out of the researches there will issue a record of important facts, which in due time may be coordinated into laws. This REVIEW cannot be employed in a more important work, in an age in which materialism is making such lofty pretensions, than in exposing and restraining rash speculations and expounding and encouraging real discoveries.

Within the last few years we have had two excellent works published in Britain on the relation of brain to mind.

Carpenter's "Mental Physiology."—This is a very interesting work, full of information collected from a variety of

quarters. The author wishes to save himself from materialism. On the ground of consciousness he stands up for a will, and this a free will above the bodily organization. "In reducing," he says, "the thinking man to the level of 'a puppet that moves according as its strings are pulled,' the materialistic philosopher places himself in complete antagonism to the positive conviction—which, like that of the existence of an external world, is felt by every right-minded man who does not trouble himself by speculating upon the matter—that *he really does possess a self-determining power* which can rise above all the promptings of suggestion, and can, *within certain limits*, mould external circumstances to its own requirements, instead of being completely subjugated by them." He adds, emphatically, "that we have exactly the same evidence of this *self-determining power within ourselves* that we have of the existence of a material world outside ourselves" (p. 5). But it is surely worthy of being inquired whether, as he has felt himself bound to call in will, to which he gives a high and controlling place, he should not have associated with it other mental exercises, intellectual and moral, such as our judgments and our convictions as to right and wrong. We have exactly the same evidence of the existence of reason and conscience as we have of will. Meanwhile Carpenter has been severely criticised by the school of Bain, both in France (in the *Revue Philosophique*) and in England, who find it easy on their principles to account for volition by the prevailing desire, which, in the last resort, is the prevailing sensation wrought up into higher forms by association.

The theory on which he proceeds in accounting for our intellectual ideas (he scarcely refers to our moral ideas) is a very superficial and unsatisfactory one. An *impression* (a very misleading word, brought into philosophy by Hume) travels upward to the sensorium, where it gives rise to a sensation. "The change there induced being propagated onward to the cerebrum, becomes the occasion [another vague word] of further changes in its cortical substance, the downward reflection of whose results to the sensorium gives rise to the formation of an idea. If with this idea any pleasurable or painful *feelings* should be associated, it assumes the character of an *emotion*, and, either as a simple or as an emotional idea, it becomes the stimulus to further cere-

bral changes, which, when we become conscious of them, we call intellectual operations" (p. 123). This is a "free and easy way" of generating the thoughts and sentiments of which we are conscious. A boy, we may suppose, strikes his mother. An impression of this rises in our sensorium, goes up to the gray matter in the periphery of the brain, comes down as an idea, which is of the unkindness of the boy, of his wickedness and evil-desert!! We see what oversights the highest of these physiologists commit. What a gap between an action in a soft, pulpy substance, the brain, and the judgments pronounced as to truth and error, and the ideas of merit and demerit!

Ferrier's "Functions of the Brain."—This work is of a more special character than Carpenter's. Much consideration is given to the effects, especially the psychological effects, as on the senses, by lesions or injuries of the brain, and the mutilations of particular parts. But the work is especially valuable, as detailing a great many experiments wrought on such animals as pigeons, rabbits, dogs, and monkeys, which had been rendered insensible by chloroform. He had been anticipated in these by certain German physiologists, such as Fritsch and Hitzig, who had published the results some years before Ferrier had begun, or at least made known, his researches. I am not able to allot to each man his share of merit in the observations and in the results reached. It is certain that Prof. Ferrier has himself conducted very important experiments, and has detailed them in a convenient and connected form. Priority is due to the two Germans referred to, but credit to all the three, and to others. I am anxious simply to obtain the ascertained results, and I leave to others the work of distributing the due amount of merit to each investigator. We shall find difficulty enough in determining the points which are to be regarded as fully established.

The experiments were made by the application of an electrical current to the cortical substance of the cerebrum and other ganglionic centres in the brain. They seem to have been conducted with care. There are difficulties involved in the process, and doubts may be thrown on the certainty of some of the conclusions. The chloroform which renders the frame insensible to pain may produce other effects of a disturbing character, and modify in some cases the action of the part experi-

mented on. Further, the injuries inflicted on parts and the mutilations may spread to contiguous regions, and render it difficult to settle what is the precise seat of the affection produced. The experiments will doubtless be repeated, with variations, and the whole will be tested by critics; and in the end we shall have a valuable body of well-established and acknowledged truths. Already some points have been rendered highly probable. I propose to lay before the readers of the REVIEW some of the more important conclusions of Prof. Ferrier, to dwell on those which bear on mental action, and show how little they favor materialism.

Nobody imagines that the bones or muscles of the body can produce thought or feeling. It is the cerebro-spinal mass alone that can be supposed to have any psychological qualities. Let us examine it, beginning with the spinal column and mounting up to the cerebral hemispheres.

The *Spinal Column* is composed of white matter, which is fibrous, and of gray matter in the centre, which is cellular. It gives off along the backbone thirty-one pairs of nerves, which are combined in knots or ganglia, which exhibit reflex action. The anterior in the pairs are Motor (designated A M); the posterior, Sensor (P S). The Sensor nerve, which is afferent, being stimulated, transmits an action to the centre, and there goes out in motion along the Motor nerve, which is efferent. Now there is no evidence of there being mental action of any kind in the cord or in the nerves. Mr. Lewes, it is true, speaks of there being unconscious mental action. I doubt much whether there is such a thing as unconscious thinking or feeling. From its very nature, we cannot be conscious—that is, directly cognizant of it. It cannot explain any thing which cannot be accounted for otherwise (supposed unconscious acts are simply acts which have passed so rapidly that they are not remembered) by known and acknowledged principles. There is no proof of there being mind in the motions of the ganglia. There is, no doubt, intelligence implied in the very delicate mechanism by which reflex action is produced, but it is that of the Being who fashioned and arranged the whole. The movements are not directly under the control of the will. Professor Ferrier maintains that there is no sensation in the backbone or its appendages. All

the parts above may be removed without destroying the proper action of the parts. So far, then, we have no trace of mental action, of will, or judgment, or emotion, nor even of sensation.

Going upward, the spinal cord expands into the *Medulla Oblongata* (Fig. I., L). Here we have a centre of co-ordination of a more complex character. It is concerned in the processes

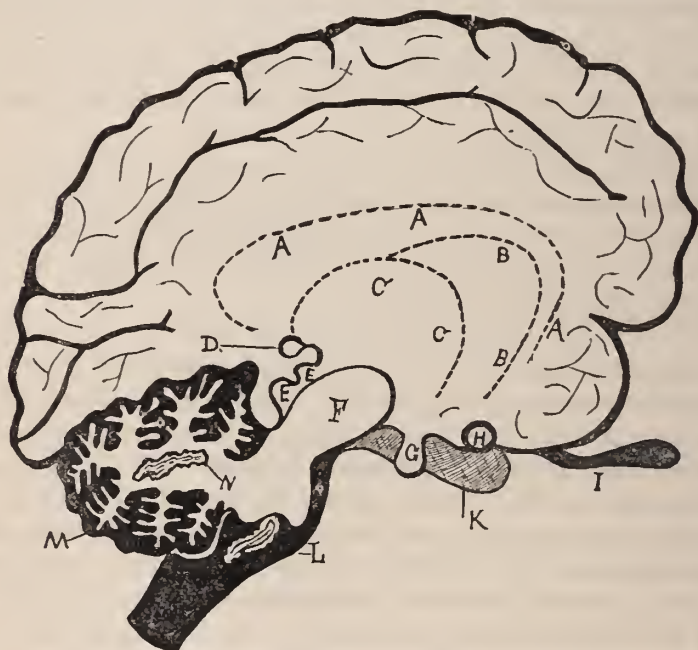


FIG. I.—THE ARRANGEMENT OF THE PARTS OF THE BRAIN.¹

The Corpus Callosum (A), the Corpus Striatum (B), and the Optic Thalamus (C), are shown in dotted outline. D, Pineal body; E, Corpora Quadrigemina; F, Crus Cerebri; G, Pituitary body; H, Optic nerve; I, Olfactory bulb; K, Exterior Hippocampal region, and region of the Subiculum Cornu Ammonis; L, Medulla; M, Cerebellum; N, Corpus Dentatum.

by which infants suck and swallow, and is supposed to be exercised in the production of articulate speech. The co-ordination of respiratory movements is one of the chief functions of the organs.

“It is farther a centre of the reflex manifestation of facial expression, and some other forms of what is usually regarded as emotional expressions. Vulpian has shown that if a young rat be deprived of all the encephalic centres

¹ The two figures were drawn by G. T. G. Ricketts, M.D.

above the medulla, and if then the toes are pinched, not only may reflex movements of the limbs be produced, but also a cry as of pain may be elicited. This is capable of frequent repetition. If now the medulla oblongata be destroyed, pinching of the toes will cause the reflex movements of the limbs as before; but no cry will be elicited. The cry in this case is a pure reflex phenomenon, and is easily accounted for, when it is remembered that a cry is only a modified expiration, and that the medulla oblongata is the co-ordinating centre of the respiratory movements."

I call special attention to the circumstance that the cry as of pain is no evidence of pain being felt. Our author says:

"If all the centres above the medulla be removed, life may continue, the respiratory movements may go on with their accustomed rhythm, the heart may continue to beat, and the circulation be maintained; the animal may swallow if food be introduced into the mouth, may react to impressions made on its sensory nerves, withdrawing its limbs, or making an irregular spring if pinched, or even utter a cry as if in pain, and yet will be merely a non-sentient, non-intelligent reflex mechanism."

Rising higher, we come to the *Mesencephalic Centres* (Corpora Quadrigemina), (Fig. I., E E). These are the seat of more complex and special co-ordinations, involving very wonderful adaptations, and the reflex expression of emotion produced by the action of the special senses. Carpenter regards the mesencephale as the *sensorium commune*, or seat of sensation, and the source of what is called sensori-motor, or consensual action—such as sneezing, which is not dependent on the will, and cannot be produced directly by a volition; but which is felt, and is so, our author maintains, because the act reaches a sensory centre in the brain. He does not allow that this action has in itself any sensation; and he asserts that the plaintive cry elicited by pinching the foot of a rabbit may be merely a reflex phenomenon, not depending on any true sense of pain, and that the leap to the side which the brainless frog makes so as to avoid an obstacle may be merely the resultant of two simultaneous impressions, the one on its foot, and the other on its retina.

The *Cerebellum* (Fig. I., M) was regarded by the phrenologists as the centre of sexual appetite, but this view is not confirmed by accurate research. Our author doubts whether, as is often asserted of late years, it is the special centre of co-ordinated action. Ferrier allots to it the function of equilibration, which

is paralyzed when the organ is totally destroyed, and may issue in falling or rotatory motion, according to the part affected when it is diseased. He maintains that neither sensation nor voluntary motion need be affected by disorder in the cerebellum.

This may be the proper place to call attention to a process which takes place in the *Pons Varolii* and *Crura Cerebri* (Fig. I., F). There is a decussation or crossing of the various sensory (so-called) and motor parts. Above this, destruction of one side causes paralysis of motion and sensation, not on the same, but on the opposite side.

The *Crura Cerebri* pass into two great ganglia situated at the base of the brain, where they are inclosed and concealed by the cerebral hemispheres. These are believed to perform very important offices in connecting the brain proper with the organs that lie farther down.

The *Corpora Striata* (Fig. I., B), it is agreed, have motor functions. Destructive lesions of this organ in man, in dogs, and other animals, produce hemiplegia of the opposite side, owing to the decussation just spoken of. Sensation meanwhile remains unaffected.

There is a considerable diversity of opinion as to the functions of the *Thalama Optici* (Fig. I., C). Carpenter regards them as playing an important part in the sensori-motor tract, and speaks of fibres as ascending from the sensorium to the cortical layer of the cerebrum, which is thereby sensorially stimulated or affected. Ferrier writes somewhat hesitatingly. There are undoubtedly cases in which injuries of the optic thalamus have been associated with diminution or abolition of sensation in touch, sight, hearing, taste, and smell, in one form or other, on the opposite side of the body. He holds that the thalamus contains the sensory paths of all the nerves of sensation which take their origin below the crura cerebri. The sensor and motor paths seem to unite about this place, and lesions of different parts of the thalamus seem to produce somewhat different effects. The motor tract has become completely separated from the sensor in the corpora striata. He holds it to be physically impossible that sensation should continue after the total destruction of the optic thalami.

But our author insists once more on the fact that mere reac-

tions to sensory or rather afferent actions are not indications of true sensations. He maintains that up to this place, up to the thalami optici and corpora striata, there is no evidence of will or even of sensation. This declaration, however, is to be taken along with the very important doctrine, that movements at first requiring true volitional effort "tend to become automatic by repetition; and the less varied and complex the movements, the more speedily does the automatic organization become established." He reaches the conclusion that "the corpora striata are the centres in which these habitual or automatic movements become organized," and that "the optic thalami play the same subordinate rôle to the sensory centres."

So far as we have yet gone, there is no proof of any mental act, nor even of sensation. Cut off the cerebral hemispheres from above, and there may be many movements as adaptive as if they had been done by the animal's will and intelligence, but there is, after all, no feeling and no purpose. Our author holds that "it has been conclusively demonstrated that in man the consciousness of sensory impressions, or true sensation, is a function of the cerebral hemispheres." I believe he has gone far to establish this most important truth in opposition to those who, like Carpenter, find the tract of sensation at the base of the brain.

His definition of sensation is approximately correct: "It is the consciousness of an impression." I do not like the word "impression." I believe that "affection" would be better. But he is surely right in saying that in sensation there is consciousness, or an immediate mental act, and this, I may add, a cognitive act; it is the knowledge of an affection of the body. He maintains resolutely that "sensation is a function of the higher, that is, cerebral centres," and quotes Flourens, who was of opinion that "sensation proper was abolished by the removal of the cerebral hemispheres."

Our author goes farther than this: he thinks he can localize, in the gray matter which composes the cortex or periphery of the brain, the centres of the various senses. At this point he is opposed by many eminent physiologists. His experiments will require to be repeated, and his conclusions tested by competent men, before they can be regarded as fully established. But he

seems to me to have proven his positions provisionally and approximately. I use this guarded language because I believe that, while the senses have to do with the centres allocated to them, there may be need of more investigation to determine the precise function of the centres. It is surely quite conceivable that the

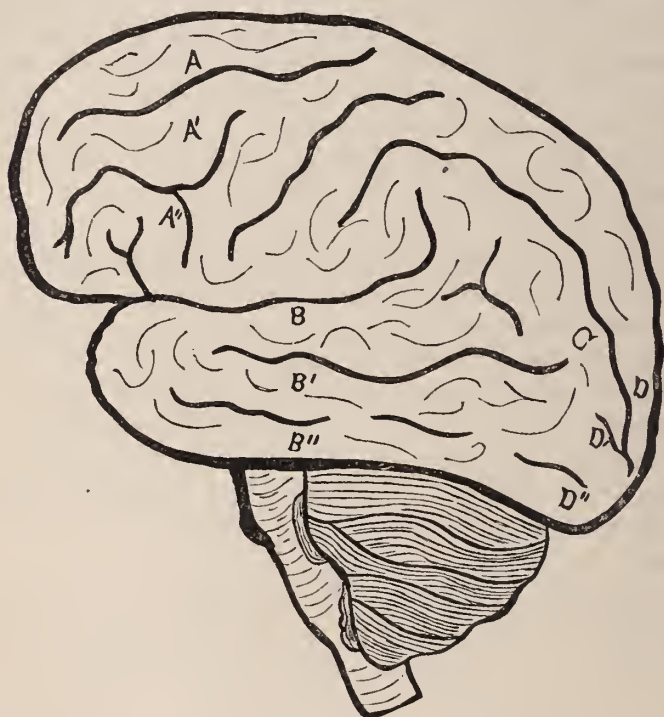


FIG. II.—LATERAL VIEW OF THE BRAIN OF MAN (LEFT SIDE).

- A, Superior frontal convolution ; A', Middle frontal convolution ; A'', Inferior frontal convolution.
 B, First temporo-sphenoidal convolution ; B', Second temporo-sphenoidal convolution ; B'', Third temporo-sphenoidal convolution.
 C, Gyrus angularis.
 D, First occipital convolution ; D', Second occipital convolution ; D'', Third occipital convolution.

sensation which is so diffused in the lower animals may become differentiated and localized, in the higher animals and in man, in special cerebral organs, which, however, it may perhaps have to be added, are not so differentiated as not to be mixed up with other functions.

We may begin with the *Organic Sensations* or *Visceral Sensa-*

tions. The cerebral centres of these are supposed to be in the occipital lobes (Fig. II., D, D', D"). Cut off these, and the animal continues to see, hear, touch, taste, and smell as before, and can walk, run, jump, and use its limbs with perfect power and co-ordination. But the relish and the appetite for food are gone. It has to be added that thirst, which is a tactile sensation, may remain. But place food before the animal, and it has no inclination to taste it. The occipital lobes are thus the centre of those visceral affections, which, as healthy or morbid, do so affect our vague feelings of well or ill feeling, which are apt to constitute no inconsiderable portion of our happiness or unhappiness, and make our temperament and our tempers placid or irritable.

Touch is represented as having its centre in the hippocampal region (Fig. I., K). "Destructive lesions of this region abolish tactile sensation on the opposite side of the body. When the right hippocampal region is destroyed, sight and hearing are unimpaired. But cutaneous stimulation, by pricking, pinching, or pungent heat, sufficient to cause lively manifestations of sensation, when applied to the right side of the body, failed in general to elicit any reaction whatever on the left side, whether face, or hand, or foot."

Smell and *Taste* are supposed to have their centres, not easily distinguishable, in the subiculum cornu ammonis (Fig. I., K, anterior portion). "Irritation of the subiculum, in the monkey, cat, dog, and rabbit, was attended by similar phenomena in all—viz., a peculiar torsion of the lip and partial closure of the nostril on the same side. This is evidently the outward expression or reflex indication of the excitation of subjective olfactory sensations of an intense character."

Sight has its cerebral centre in the gyrus angularis (Fig. II., C). It seems that the eye, with all its coats and humors, and the retina and the optic nerve, might be all entire and in a healthy state, and yet there be no vision whatever. In order to sight, the action must go up to the cerebral centre. "Destruction of the angular gyrus on one side causes blindness in the opposite eye. The loss of vision is complete, but is not permanent, if the angular gyrus of the opposite hemisphere remains intact, compensation rapidly taking place, so that vision is again possi-

ble with either eye as before. On destruction of the angular gyrus in both hemispheres, the loss of vision is complete and permanent."

Hearing has its centre in the superior temporo-sphenoidal convolution (Fig. II., B). In the experiments conducted, it was found that when these were not destroyed, the other senses, such as touch, taste, smell, and sight, were not impaired; but in the experiments there was no response to the usual forms of auditory stimuli. The animal was perfectly awake, and looking around, but was quite unmoved by loud calling, whistling, and knocking.

Our author speaks much more loosely and hesitatingly about the *Frontal Lobes* of the brain. Their functions have not been determined either by the method of electrical excitation or that of destruction:

"Removal or destruction by the cautery of the anterior frontal lobes is not followed by any definite physiological results. The animals retain their appetites and instincts, and are capable of exhibiting emotional feeling. The sensory faculties—sight, hearing, touch, and smell—remain unimpaired. The powers of voluntary motion are retained in their integrity."

We know for certain that the frontal lobes have a connection with motor ganglia, as the corpus striatum and motor tracts. It is probable, he thinks, that they may be specially the seat or centre of higher intellectual acts, as phrenologists maintain; but he gives no proof, and does not profess to have any. He is able, however, to allot to them a very important function, what he calls "inhibition:"

"Though not actually motor, they are inhibitory motor, and expend their energy in inducing internal changes in the centres of actual motor execution."

"The removal of the frontal lobes causes no motor paralysis or other physiological effects, but causes a form of mental degradation, which may be reduced in ultimate analysis to the loss of the faculty of attention. The powers of attention and concentration of thought are, further, small and imperfect in idiots, with defective development of the frontal lobes; and disease of the frontal lobes is more especially characteristic of dementia, or general mental degradation. The frontal regions which correspond to the non-excitabile regions of the brain of the monkey are small or rudimentary in the lower animals, and their intelligence and powers of reflective thought correspond. The develop-

ment of the frontal lobes is greatest in man, with the highest intellectual powers; and taking one man with another, the greatest intellectual power is characteristic of the one with the greatest frontal development."

This is all he is able to say—I believe all that any man is able to say at this present time. Let us suppose, then, that the frontal lobes have a special motor power, and act downward on the inferior organs; it has occurred to me that we might thereby partially explain those curious mental phenomena which have been described, without his endeavoring to give any *rationale* of them, by Sir Henry Holland, in his "Chapters on Mental Physiology." He lays it down as a rule, that if the consciousness—or, as I would rather say, the attention—be directed forcibly or habitually to any organ, that organ is affected. We are thinking of an organ; we have some sort of idea of it—say of our mouth or stomach—and some project defined or undefined regarding it. There will be some action downward upon that organ. If we think of the saliva in our mouth, the secretion of the glands is increased, and the quantity becomes more abundant. I have often been annoyed by this peculiarity in visiting persons laboring under infectious disease. Having been advised by my physician not to swallow my spittle in such circumstances, I have found my mouth filled with saliva in consequence of the very attempts to restrain it. "The organs," says Dr. Holland, "are variously subject to the same influence. The act of swallowing, for instance, becomes manifestly embarrassed, and is made more difficult by the attention fixed on it when the morsel to be swallowed comes into contact with the part." "The act of articulation in its various forms is as obviously subject to the influence we are describing, and especially where there exists already some impediment in the function. This is curiously illustrated in many cases of stammering, and also in paralytic cases, where the organs of speech are affected by the disease." Turning to other parts of the frame, we find the same accomplished physician saying: "A similar concentration of consciousness in the region of the stomach creates in these parts a sense of weight, oppression, or other less definite uneasiness, and whenever the stomach is full, appears greatly to disturb the digestion of the food." "The

symptoms of the dyspeptic patient are doubtless much aggravated by the constant and earnest direction of his mind to the digestive organs and the functions going on in them. Feelings of nausea may be produced or greatly increased in this way, and are often suddenly relieved by the attention being directed to other objects." I remember of having sea-sickness cured on the instant, when, on stepping on deck, I found that the vessel was in danger of sinking, and as I looked abroad on a scene in which the howling of the storm and the flashing of the lightning completely carried away my attention from my agitated stomach.

Other portions of our frame, usually supposed to be less susceptible, feel the same influence. I remember being suddenly pushed forward on one occasion on a very high platform to address an assembly below. As I looked down through the boards, I felt as if I might fall, and suddenly, through the attention being directed towards them, I found my limbs shaking and my steps tottering. Had this state of mind continued, I would probably have dropped down on the platform; but fortunately I had to address the crowd, and my attention being thus drawn off myself, I had not finished the first sentence till I found my limbs as calm and firm as if I had stood on the solid earth.

Dr. Holland says that different parts or textures are differently affected by the consciousness thus directed to them, either from diversity in the organs themselves, or from some obscure inequality in the exercise of the power. In some cases the influence is a happy one; more frequently it is a deranging one. I have observed that the influence is for good when it is intended by the Author of our nature that the will should be directed to the organ, but that in other cases it is followed by a disturbing effect. Thus, so far as our senses are concerned, it is evidently intended that we should voluntarily exercise and direct them. In such cases, the influence is for good. "No one can direct his consciousness to the organs of seeing, hearing, or even of taste, without becoming aware of certain changes in their state from the mind thus by effort applied to them. It is even possible, as learnt by experiment, to give a different intensity to the impressions received from one or other eye, or even by the agency of the mind severally upon

these parts. And explanation of the improvement of the senses by exercise may readily be found in the habitual repetition of this mental action, and its effects on the physical condition of the organs—in conformity with the more general law, that any frequently repeated action of a part invites more of blood and nervous power into it, adding, unless there be excess of action, to its power and capacity." In all cases in which nature (by which I mean God acting by natural agents) can carry on the process without any effort of our will, the morbid brooding upon the organ has a tendency to disturb its functions. The conceited intermeddling with the operations which God carries on has always the effect of injuring and deranging them.

And this leads me to remark, that this peculiarity of our nature may be made a means either of producing or of curing disease. It is a common saying that many a disease proceeds from imagination. This is a literal truth. The hypochondriac imagines that he has disease in the heart or stomach; he is led in consequence to think much of these organs, and he thus produces the very malady of which he was afraid. On the other hand, disease has in some cases been cured through the same law of our constitution. A friend of mine, an eminent medical practitioner, assures me that he has at times effected a cure in the following way: He tells the patient that the malady under which he is laboring requires the application of a blister; he prepares the blister and sends it to the house of the sick man, with instructions that if he is not better by a certain time, say by evening, it must be applied. The patient meanwhile has the pleasant reflection before him of this application; this keeps the attention fixed on the part, and, strange as it may seem, the fear of the blister has the same stimulating effect as the actual use of it, and before the set hour has arrived, the part is not unfrequently so improved as to render the actual application unnecessary. The cure effected by Dr. Beddoes has often been quoted. He was about to try the effect of electricity upon a paralytic, and before doing so inserted a thermometer under his tongue, simply in order to ascertain the heat of his body. The patient assumed that the thermometer was to be the means of cure, and became so much better after the first few minutes that the electric shock was not given, and he recovered

simply by the daily use of the thermometer. Doubtless the cures effected by homœopathic globules and by magnetic influences and mesmeric passes have been much indebted to this process. It is believed that even organic diseases may at times be cured in this way. "The idea," says Müller, "that a structural defect will certainly be removed by a certain act, increases the organic action of the part, and sometimes produces a cure. Hence the cure of warts by what is called sympathy, *si fabula vera*." We are accustomed to say that we owe these diseases and these cures to imagination; but this explanation is far too loose: the truth is, we owe them to that curious law according to which the attention of the mind directed to an organ affects the functions of that organ.

To this same property we owe, in part, certain of the influences wielded by the mesmerist. We say in part, for there is another law at work. The mesmerist must first of all acquire a power over the law of thought of the person mesmerized. This can also be explained, but it is away from our present purpose, as it arises from laws to a great extent mental. But it falls within our present topic to show that when the mesmerizer has got this control, all the rest follows according to the law now expounded. He wishes, let us suppose, to deprive the party under his influence of the use of a particular organ, say of the power of moving his arm or limb, or of opening his lips. He has only by hints, by pointing, by passes, to direct the attention of the person strongly to these parts of the frame, and a derangement is produced similar to that in my limbs when I looked down through the boards of the high platform, and all healthy and steady action becomes impossible.

I regret that I cannot dwell longer on these interesting topics on which so little has been ascertained in time past, but where I am convinced not a little may be ascertained in time to come, by careful observation. I have said enough, I trust, to point out in what way investigation should be conducted. Inquiry into this subject has not always been prosecuted in a careful spirit. Every one knows that in this dark and cloudy region, which intervenes between the two territories of mind and matter, we meet with some of the profoundest mysteries of our nature. Here we fall in with sleep, dotage,

somnambulism, insanity—topics on which little or no light has been thrown. In the mists and clouds which forever brood over this dark gulf, a thousand errors have been lurking. In this border territory there is a continual warfare going on. But the very mystery which attaches to them is ever tempting persons of ardent curiosity and little caution, of strong fancy and weak judgment, to penetrate into these depths, and to speculate far beyond what they are entitled to do, on the principles of a rigid induction. In particular, we find the mesmerist displaying his phantasmagoria in this darkened room, to the astonishment of the vulgar. I acknowledge that the mesmerist has certain curious and important facts that he is playing with. It is vain to deny that there is a singular set of psychological and physiological phenomena which may, for want of a better name, be called Mesmeric. I am convinced, indeed, that there is no truth whatever in the doctrine of Clairvoyance; I am sure that not only has no satisfactory proof been advanced in its behalf, but that it has been disproven by the tests to which it has been put. But it cannot be denied that, both in health and in disease, mind and body are often in very curious states, and these states can be produced and operated upon by artificial means. But it has commonly been the business of the practisers of mesmerism not to throw light on these topics, but rather to perplex them, their ambition being not so much to explain these phenomena as to excite our surprise by representing them as more wonderful than they really are; and in accomplishing this end, some have been found guilty of not a little studious concealment—nay, of not a little trickery and deceit. Of all persons they seem to be the most unfitted to clear up this most difficult subject, and to put it upon a scientific basis. But we trust that the very wonder which they have excited, and the abuse which they have made of positive facts, will stir up others, qualified for the task, to make the attempt to probe these questions to the bottom. The result of this will be that the wonders which so strike the vulgar will very much diminish, and finally disappear, but only to disclose other wonders which will fill the intelligent mind at once with admiration and awe, as intimately connected at once with the strength and weakness of that nature of ours, which combines in itself the great-

est strength and the greatest weakness. "In wonder," says Coleridge, "all philosophy began, in wonder it ends, and admiration fills up the interspace. But the first wonder is the offspring of ignorance, the last is the parent of adoration. The first is the birth-throe of our knowledge, the last is its euthanasia and apotheosis."

I have now to call attention to another and higher function of the brain. The cerebrum, we have seen, contains centres of sensation and locomotion—the mind through them has a perception of forms, colors, smells, sounds, and tastes, and has power over the organs. But these centres give us not only our primary perceptions: they are necessary to the reproduction of them in idea when the objects are absent—to what Carpenter and the physiologists, following James Mill, call ideations, but I would rather call *phantasms*; a phrase taken from Aristotle, which (with phantasy, the faculty of which phantasm is the product) some of us are anxious to revive. I have taught this doctrine, as many of my pupils may remember, for more than a quarter of a century. The view is sanctioned by Bain and by Ferrier. To explain what is meant: whatever be the organ by which we see (it used to be thought the optic thalamus, it is now believed to be the angular gyrus), that same organ is required in order to our being able to recall it in image when it is absent. Thus, if the centre of vision be the gyrus, a healthy state of that organism is needed, not only in order to see the object, say the Falls of Niagara, but to recall them. It is the same with all the other senses. In order to image visceral sensations, the occipital lobes must be in exercise; in order to remember sounds, we need the temporo-sphenoidal; and in order to recall tastes and odors, the subiculum. I hold that in both cases, both in the perceptions and in the reproduced ideas, the mind does the work, produces the perceptions and the ideas; but in both it needs an organ, and this organ is the same in both operations. By this law we can explain so far certain curious facts.

I shall suppose that we are cherishing a very strong mental affection—this may so affect the organism that we feel as if we saw the object before us. We may thus account for some of the most curious phenomena of our compound nature. Sir

Isaac Newton, having been employed in looking upon the sun in a looking-glass, brought his eyes to such a pass that he could look upon no large object without seeing the sun before him. If he but thought upon the sun, he presently saw his picture, though he was in the dark. In order to be rid of this unpleasant sensation, he shut himself up for three or four days in a dark chamber, and so far recovered from them; but for months after, the spectrum of the sun began to return as often as he began to meditate upon the phenomena, even though he lay in bed at midnight, with his curtains drawn. Years after, he thought that he could make the phantasm return by "the power of his fancy." Here we have an evident reaction of mind and matter. The bodily organism gives the mental image, and the thinking of the object—the fancy of it—calls up the bodily image. By the help of this same principle, we can account for the experience of Goethe. "When I closed my eyes," says he, "and depressed my head, I could cause the image of a flower to appear in the middle of the field of vision; this flower did not for a moment retain its first form, but unfolded itself, and developed from its interior new flowers, formed of colored, or, sometimes, green leaves. These were not natural flowers, but of fantastic forms, although symmetrical as the rosettes of sculptors. I was unable to fix any one form, but the development of new flowers continued as long as I desired it, without any variation in the rapidity of the changes. The same thing occurred when I figured to myself a variegated disk. The colored figures upon it underwent constant changes, which extended progressively from the centre towards the periphery, exactly like the changes in the modern kaleidoscope." The physiologist Müller represents himself as frequently seeing different figures in the field of vision when he lay quietly down to sleep. Müller had no voluntary power over either the production of these images or their changes of form. Goethe, on the contrary, was able to give the type for the phantasm, and then the different variations ensued on it, as it seemed, independent of the will, though with regularity and symmetry. "This difference," says Müller, "accorded well with the characters of our minds, of which the one had all the creative power of the poet, while the other was engaged in the investigation of the actual phenomena of nature."

This curious power is not possessed by all ; it seems, indeed, to be confined to comparatively few. Some of those who possess it can exercise it at any time, others only at particular times. I have sometimes thought that it is a power to be feared rather than coveted.

This same principle may explain many cases of spectral illusions. When dreams are very vivid, the person actually sees the scene as he suddenly opens his eyes upon awaking. "A friend of mine," says Sir Benjamin Brodie,¹ "on awaking in the morning saw standing at the foot of his bed a figure in a sort of Persian dress. It was as plainly to be seen and as distinct as the chairs and tables in the room, so that my friend was on the point of going up to it, that he might ascertain what, or rather who, it was. Looking, however, steadfastly at it, he observed that although the figure was as plain as possible, the door behind it was plainly to be seen also, and presently the figure disappeared. Considering the matter afterwards, he recollected that he had had a dream in which the Persian figure played a conspicuous part." Most persons must have fallen in with the cases of children awakening out of sleep, and incapable of distinguishing between the imaginary scenes of which they had been dreaming, and the actual objects before them.

There is but a step between these and spectral illusions actually believed in, and even that intermediate space is filled up with cases in which spectres are seen without being believed in. "The case of a gentleman," says Dr. Abercrombie,² "has been communicated to me, who has been all his life affected by the appearance of spectral figures. To such an extent does this peculiarity exist, that, if he meets a friend in the street, he cannot at first satisfy himself whether he really sees the individual or a spectral figure. By close attention he can remark a difference between them, in the outline of the real figure being more distinctly defined than that of the spectral. But in general he takes means for correcting his visual impression by touching the figure, or by listening to the sound of his footsteps. He has also the power of calling up spectral figures at

¹ "Psychological Inquiries," p. 79.

² "Intellectual Powers," p. 277.

his will, by directing his attention steadily to the conception of his own mind, and this may either consist of a figure or a scene which he has seen, or it may be a composition created by his imagination. But though he has the power of producing the illusion, he has no power of banishing it; and when he has called up any particular spectral figure or scene, he never can say how long it may haunt him. The gentleman is in the prime of life, of sound mind, in good health, and engaged in business."

A somewhat similar case has come within my own experience. A lady of my acquaintance had had her nerves dreadfully shattered in consequence of a fall, and for years after she was haunted with dark and disagreeable thoughts. These were usually confined to the mind, but at times they were bodied in external images. She was a person of naturally a strong mind, and never for one instant believed in the reality of the spectres. I was called in to administer to her the consolations of religion, which, in such afflicting circumstances, were found to be unspeakably precious.

Here, then, we have cases of a mental conception so affecting some portion of the sensory organism that the person feels as if he saw the object. After much the same manner, sounds have been heard. Dr. Holland mentions the case of a lady, advanced in years, and much devoted to music through life, who unceasingly heard musical sounds or airs. Of the tunes thus impressing her with a sort of a reality, some were familiar to her, others altogether new combinations. The struggle between the voluntary power conscious of the delusion and the physical sensations offered many curious facts. A particular air could generally be brought on by the will, but not dismissed again except by a strong effort to take up another. The same author tells us of a person who for a time believed in and acted upon the reality of illusive sounds and conversations, but afterwards came to know that they were imaginary, partly by his never-discovering any person in the places whence the voices had come, chiefly by finding himself able on trial to suggest the words which were thus seemingly uttered by some one external to himself. Dr. Holland adds there was for the most part some obvious foundation in the thoughts or feelings at the time for the phrases

which seemed to reach the ear from without. From all this it appears very clear to me that there was an action of the mental conception upon the organism, putting it in very much the same state as the external sound does. I am convinced that similar phenomena occur in regard to the other senses, and that there are illusory touches, tastes, and odors produced by mental anticipations or images.

We have a case of illusory smells recorded in the *Life of Chalmers*: "A party of ministers had met at the manse (of Kilconquhar), where a number of them were to remain all night, and among the rest Mr. Gray, against whom some slight pique, on account of a real or assumed literary superiority, was entertained. The question as to the relative power of the imagination and senses was raised, and the argument rose high, Mr. Gray alone taking the side of the senses, and all the others the side of the imagination. The combatants parted for the night; Mr. Gray, by retiring first, giving his adversaries the opportunity of concocting the trick by which they made his own act contradict his argument. It was the custom at that time to wear wigs, which were given to the servant at night to be powdered for the next day. When Mr. Gray, with his freshly-powdered wig, came down next morning to the breakfast-room, he found it unoccupied. It was not till one of his brethren joined him, who, on approaching, gave very distinct but not very agreeable indications, that a most offensive odor was issuing from the wig. Trying his own senses, Mr. Gray could detect nothing amiss, but laughed at his friend for his folly. Now, however, a second friend came in, who declared immediately on entering that there was a very strong smell of brimstone in the room, and laid it at once and unhesitatingly to the wig. The laugh subsided, but still, after a second trial, Mr. Gray could find nothing amiss. But a third friend came in, and a fourth, and a fifth, all fixing the alleged offence upon the wig, till, his own senses overcome at last, and the victory given to his adversaries, Mr. Gray flung the harmless wig indignantly away, exclaiming, 'Why, the fellow has put brimstone on the wig.'" (*Life*, I., p. 192.)

There is scarcely any perceptible line between some of these cases and those in which the illusion is complete. In the case of many persons who see spectres, there is first a bodily disor-

ganization, acting on the mind in the way of calling up certain ideas, and then this idea producing a particular state of the organism which gives a bodily shape to the idea. In other cases, the phenomenon originates within, and proceeds from a dominant idea, so strong and vivid as to affect the corresponding part of the organism. Give us only such a vivid conception, and an organism disordered by it or by other causes, and we can now account for the spectres which have been seen both by sane men and by lunatics. We can explain in this way the vision said to have been seen by Brutus before the battle of Philippi; the sad prognostications in his mind must have created it. Thus, too, are we to account for the ghosts which have haunted the conscience-stricken murderer until he delivered himself into the hands of justice. To the same cause we are to refer the authenticated cases of second-sight; persons of moodish and morbid minds and disordered stomachs and brains are ever seeing spectral images, and when no fact corresponds to them, they are forgotten almost as easily as dreams; whereas when there are, as there will be at times, coincidences in real life, the vision is remembered, related, and declared to be a prophecy. Some have supposed that it is in this way that we are to account for Swedenborg's constant intercourse with the external world: by his high intellectual and spiritual conceptions he could make Moses and Elias and Paul appear before him as easily as Goethe, by his poetical fancy and through his botanical predilections, could surround himself with visions of opening flowers.

It is easy to conceive that when the person has become deranged, that these spectral illusions should be more frequent and exercise a greater control over his mind. For, in the first place, derangement often, if not always, proceeds from a diseased brain—diseased in the way we have been speaking of, and such a brain must be peculiarly susceptible of producing illusive scenes; and, in the second place, the mind thus distracted is less capable of distinguishing between truth and fiction. The disordered mind and the disordered brain conspire to construct an imaginary world, in the midst of which the person lives and moves, conversing with those around him and listening to their conversation, acting and being acted on, and experiencing feel-

ings of joy or of sorrow, according to the nature of the circumstances in which he is placed. And in all this there may only be the disorganization of powers of body and mind, which are usually good and beneficent, just as in bodily disease there is simply the disorder of organs which, when in health, are the chief source of our activity and physical enjoyment.

Returning to the frontal region of the brain, we find that a very special function belongs to one of the lobes—to the third frontal convolution (Fig. II., A"). M. Broca has shown that this is the *Organ of Speech*. A lesion of it produces what is called aphasia. The person is quite capable of appreciating the meaning of words uttered in his hearing. But

"the word spoken, though it calls up the idea or meaning, cannot call up the word itself actually or in idea, owing to the centres of word execution and word ideation being destroyed. The appreciation of the meaning of spoken words is readily accounted for by the fact that in the process of education an association is formed directly between certain sounds and certain objects of sense simultaneously with, if not antecedent to, the formation of the cohesive associations between these sounds and certain acts of articulation. The cohesion or association between sound and meaning remains unimpaired in aphasia; it is the cohesion between sound and articulation which is broken by removal of the organic factor of the organic nexus." "Some can neither speak nor write; some can write, but cannot speak; some can write their names, but cannot write any thing else; all can comprehend spoken language, many can comprehend written language; others not at all, or only imperfectly."

Aphasia seems to be confined to the left side, and our author ingeniously accounts for this:

"The loss of speech, actually or in idea, from destruction of the centres of articulation is not more difficult of explanation, on the principles laid down in this chapter, than the loss of sight, presentatively or representatively, from destruction of the angular gyri. That which constitutes the apparent difficulty is the explanation of speechlessness without motor paralysis from unilateral lesion of the centres of articulation in the left hemisphere. This difficulty is explicable on the principles laid down in reference to motor acquisitions in general. As the right side of the body is more immediately concerned in volitional motor acts, so the education is principally in the motor centres of the left hemisphere [owing to the decussation of nerves spoken of above], and these centres are more especially the organic bases of motor acquisitions. The left articulatory centres, as has been argued by more than one observer, preponderate over the right in the initiation of motor acts of articulation. They are, therefore, more

especially the organic bases of the memory of articulations, and of their revival in idea. The destruction of the left articulatory centres removes the motor line of the cohesions which have been formed by long education between the centres of hearing and sight, and between the centres of ideation in general."

Thus far I have been writing chiefly of the cerebral centres of the senses. But it seems that the concurrence of the motor centres is required in order to our forming ideas in which the object is represented as acting and being in motion. Prof. Bain fondly dwells on this circumstance, and it is thus described by Ferrier:

"Our idea of a circle is a combination of an ideal colored outline with an ideal circular sweep of the eyeballs, or it may be of the tactile impressions coinciding with an ideal circumduction of the arm or hand, or perhaps with both these factors combined. The same elements enter in all varieties of form or shape of which we are capable of forming an idea. Our ideas of distance, weight, resistance, all involve not merely sensory factors, but these combined with muscular movements. To revive any of these ideas is to revive both the sensory and motor elements of their composition; and we tend in ideation to repeat the actual movements which were concerned in the primary act of cognition." "We have thus a sensory memory and a motor memory, sensory ideas and motor ideas; sensory ideas being revived sensations, motor ideas being revived or ideal movements. Ideal movements form a no less important element in our mental processes than ideally revived sensations." He adds, "There is practically no limit to the number of associated combinations of sensory and motor elements. Sensory centres form organic associations with other sensory centres, motor centres with motor centres, sensory centres simple and in complex association with simple or complex associations of motor centres."

This doctrine may be adopted provisionally and as an hypothesis. We cannot have an idea of a sensible object without the concurrence of the sense centres, or of an object in motion without an action of the motor centres. We need a sense centre to have an idea of a carriage, and of a motor centre to picture it as moving; and I have to add, of the language centre to speak of it. Every one knows and feels and acknowledges that the mind is so far dependent on the brain. The account I have now given, taken so far from Ferrier, but not wrought by him into a theory, may perhaps enable us to form a more intelligible idea of it than we ever had before. It shows us what brain action can do, but it also shows what it cannot do. We see how the perception of bodily objects and the recalling of

them require the co-action of brain organs, both of these processes implying consciousness, being in fact mental, and not cerebral. We see how the mind must be hindered in all its operations when certain centres of the brain are injured or are out of their normal connection—when the sensor centres, for instance, do not act with the motor. Deprive any one of the power of picturing forms, and colors, and odors, and tastes, and sounds, and touches, and motions, and of using symbols for several or all of these, and we see how repressed the mind would be. The views of the sensible qualities of objects being mixed up and confused, the persons would inevitably fall into mistakes in their judgments, and reasonings proceeding on inadequate notions and false premises; and in the end the very moral convictions proceeding on the erroneous representations might be perverted. We can understand how, on the brain being disorganized, the old man should lose his memory and forget names. I believe that very many of the well-known peculiarities of dotage—its incapacity and its delusions—can be thus accounted for. Certain of the organs are working abnormally, and raising up perverted pictures,¹ whereas others are decayed and inoperative; and thus the man is without the means of forming a correct judgment. All this may be, without his having lost his true mental capacity of understanding, moral discernment, and affection, which are ready to work in this world when the hindrances are removed, or in the other world when a spiritual body is provided.

So far as sense perceptions and sense ideations are concerned, the maxim of the Stoic philosophy (not of Aristotle, as our author says) may be true: "*Nihil est in intellectu quod non prius fuerit in sensu.*" But there is nothing whatever in these observations or experiments to show that it is true of our higher ideas—of mind, of consciousness, of thought, of moral excellence, of justice, of merit and demerit, of infinity. Prof. Ferrier is not justified, even in appearance, in the conclusion he draws, that in these cerebral actions "we have the basis of all intellectual and volitional acquisitions." For in all this we have only sensor and motor affections of the body, and sense perceptions and reproductions of sense perceptions in the mind. As yet, we have none of the higher manifestations of mind—no

judgment, no reasoning, no idea of perfection, no determination to make sacrifices, to do good and resist evil. To produce these, we must call on higher attributes of mind, and these observations furnish no proof whatever that these require special cerebral centres.

So far, then, as physiological observation and experiments have gone, they do not show, or even seem to show, that brain action can produce or explain mental action. After all, the old account seems the correct one—that the brain is the organ of the mind, its functions being instrumental and subsidiary. It is believed that in lower organisms the brain matter is in a diffused state; that the sensation is a *sensus vagus*, and that the locomotion has very loose ends. In higher animals it becomes centred in little brains, and these become more and more specialized as we ascend the scale, and they are differentiated to the greatest extent in man. But there is no absolute proof that in the end they accomplish a higher purpose in kind—they certainly do so in degree and in intensity—than they did at the beginning. They may, for all that these experiments show, be merely organs of sensation and locomotion, original and revived. It is difficult to prove a negative, and I do not affirm that the brain can have no other functions than these. But if there be others, let it be proven that there are; and what is still more important, let it be shown scientifically what they can do, and this will bring out what they cannot do.

In meeting materialism, we are on impregnable ground when we show first that mind and matter are made known to us by different organs—the one by self-consciousness, the other by the senses; and, secondly, that they are made known as possessing very different attributes, the one being characterized by thought and feeling, the other by extension and resistance. Prof. Ferrier is far too wise and too candid to affirm that brain action can account for mental action. He says, "No purely physiological investigation can explain the phenomena of consciousness." "We may succeed in determining the exact nature of the molecular changes which occur in the brain when a sensation is experienced, but this will not bring us one whit nearer the explanation of the nature of that which constitutes the sensation. The one is objective and the other subjective, and

neither can be expressed in terms of the other." I am sorry to find him, after he has made these admissions, following Bain, and declaring that "the physical changes and the psychical modifications are the objective and subjective sides of a double-faced unity; and that mental operations in the last analysis must be merely the subjective side of sensory and motor substrata." The word "side," as applied to mind, has and can have no meaning. Tyndall, in that wild careering lecture which he delivered lately at Birmingham, and in which he lets us see where his philosophy (if philosophy it can be called) must end, has forcibly stated this: "It is no explanation to say that the objective and subjective effects are two sides of one and the same phenomenon. Why should the phenomenon have two sides? This is the very core of the difficulty. There are plenty of molecular motions which do not exhibit this two-sidedness. Does water think or feel when it forms into frost ferns upon a window-pane? If not, why should the molecular motion of the brain be yoked to this mysterious companion—consciousness?" The word "side" so applied is at best metaphorical, and has a misleading tendency, as implying that mind has shape. We can understand that our body has a side, but cannot have the dimmest idea of a meditation or a sentiment being a side or having a side.

It has been shown by physiologists that you may destroy any one organ of the brain without affecting the integrity of the mind. It has been proven that you may take away a whole hemisphere of the brain without the mind losing its inherent capacity. We have all seen that while the body and its organs are dissolving into the dust from which they have sprung, the mind may be as active and as intelligent as ever, and may catch glimpses more vivid and exalted than ever it had before of the world opening on its view.

JAMES MCCOSH.

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